

House Joint Resolution 21

Sponsored by Representative RESCHKE

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 measure asks voters to require future changes to the state constitution to be passed by at least a three-fifths majority vote of the people who vote on the change. (Flesch Readability Score: 63.6).

Proposes an amendment to the Oregon Constitution to require a future proposed amendment or revision to the Oregon Constitution to receive at least three-fifths of all votes cast for the proposal to be considered adopted.

Refers the proposed amendment to the people for their approval by a three-fifths majority or rejection at a special election held throughout this state as provided in chapter _____, Oregon Laws 2025 (Enrolled House Bill 3686).

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by amending section 1, Article IV, and sections 1 and 2, Article XVII, such sections to read:

Sec. 1. (1) The legislative power of the state, except for the initiative and referendum powers reserved to the people, is vested in a Legislative Assembly, consisting of a Senate and a House of Representatives.

(2)(a) The people reserve to themselves the initiative power, which is to propose laws and amendments to the Constitution and enact or reject them at an election independently of the Legislative Assembly.

(b) An initiative law may be proposed only by a petition signed by a number of qualified voters equal to six percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition.

(c) An initiative amendment to the Constitution may be proposed only by a petition signed by a number of qualified voters equal to eight percent of the total number of votes cast for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition.

(d) An initiative petition shall include the full text of the proposed law or amendment to the Constitution. A proposed law or amendment to the Constitution shall embrace one subject only and matters properly connected therewith.

(e) An initiative petition shall be filed not less than four months before the election at which the proposed law or amendment to the Constitution is to be voted upon.

(3)(a) The people reserve to themselves the referendum power, which is to approve or reject at an election any Act, or part thereof, of the Legislative Assembly that does not become effective earlier than 90 days after the end of the session at which the Act is passed.

(b) A referendum on an Act or part thereof may be ordered by a petition signed by a number of qualified voters equal to four percent of the total number of votes cast for all candidates for

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 Governor at the election at which a Governor was elected for a term of four years next preceding
 2 the filing of the petition. A referendum petition shall be filed not more than 90 days after the end
 3 of the session at which the Act is passed.

4 (c) A referendum on an Act may be ordered by the Legislative Assembly by law.
 5 Notwithstanding section 15b, Article V of this Constitution, bills ordering a referendum and bills
 6 on which a referendum is ordered are not subject to veto by the Governor.

7 (4)(a) Petitions or orders for the initiative or referendum shall be filed with the Secretary of
 8 State. The Legislative Assembly shall provide by law for the manner in which the Secretary of State
 9 shall determine whether a petition contains the required number of signatures of qualified voters.
 10 The Secretary of State shall complete the verification process within the 30-day period after the last
 11 day on which the petition may be filed as provided in paragraph (e) of subsection (2) or paragraph
 12 (b) of subsection (3) of this section.

13 (b) Initiative and referendum measures shall be submitted to the people as provided in this sec-
 14 tion and by law not inconsistent therewith.

15 (c) All elections on initiative and referendum measures shall be held at the regular general
 16 elections, unless otherwise ordered by the Legislative Assembly.

17 (d) Notwithstanding section 1, Article XVII of this Constitution, an initiative or referendum
 18 measure becomes effective 30 days after the day on which it is enacted or approved by [a] **the**
 19 **necessary majority or three-fifths majority** of the votes cast thereon. A referendum ordered by
 20 petition on a part of an Act does not delay the remainder of the Act from becoming effective.

21 **(e) An initiative or referendum measure proposing a law is enacted when the measure**
 22 **receives a majority of the votes cast thereon. An initiative or referendum measure proposing**
 23 **an amendment to this Constitution is adopted when the measure receives a three-fifths ma-**
 24 **majority of the votes cast thereon.**

25 (5) The initiative and referendum powers reserved to the people by subsections (2) and (3) of this
 26 section are further reserved to the qualified voters of each municipality and district as to all local,
 27 special and municipal legislation of every character in or for their municipality or district. The
 28 manner of exercising those powers shall be provided by general laws, but cities may provide the
 29 manner of exercising those powers as to their municipal legislation. In a city, not more than 15
 30 percent of the qualified voters may be required to propose legislation by the initiative, and not more
 31 than 10 percent of the qualified voters may be required to order a referendum on legislation.

32 **Sec. 1.** Any amendment or amendments to this Constitution may be proposed in either branch
 33 of the legislative assembly, and if the same shall be agreed to by a majority of all the members
 34 elected to each of the two houses, such proposed amendment or amendments shall, with the yeas
 35 and nays thereon, be entered in their journals and referred by the secretary of state to the people
 36 for their approval or rejection, at the next regular general election, except when the legislative as-
 37 sembly shall order a special election for that purpose. If a **three-fifths** majority of the electors
 38 voting on any such amendment shall vote in favor thereof, it shall thereby become a part of this
 39 Constitution. The votes for and against such amendment, or amendments, severally, whether pro-
 40 posed by the legislative assembly or by initiative petition, shall be canvassed by the secretary of
 41 state in the presence of the governor, and if it shall appear to the governor that [the] **a three-fifths**
 42 majority of the votes cast at said election on said amendment, or amendments, severally, are cast
 43 in favor thereof, it shall be his duty forthwith after such canvass, by his proclamation, to declare
 44 the said amendment, or amendments, severally, having received said **three-fifths** majority of votes
 45 to have been adopted by the people of Oregon as part of the Constitution thereof, and the same shall

1 be in effect as a part of the Constitution from the date of such proclamation. When two or more
 2 amendments shall be submitted in the manner aforesaid to the voters of this state at the same
 3 election, they shall be so submitted that each amendment shall be voted on separately. No conven-
 4 tion shall be called to amend or propose amendments to this Constitution, or to propose a new
 5 Constitution, unless the law providing for such convention shall first be approved by the people on
 6 a referendum vote at a regular general election. This article shall not be construed to impair the
 7 right of the people to amend this Constitution by vote upon an initiative petition therefor.

8 **Sec. 2.** (1) In addition to the power to amend this Constitution granted by section 1, Article IV,
 9 and section 1 of this Article, a revision of all or part of this Constitution may be proposed in either
 10 house of the Legislative Assembly and, if the proposed revision is agreed to by at least two-thirds
 11 of all the members of each house, the proposed revision shall, with the yeas and nays thereon, be
 12 entered in their journals and referred by the Secretary of State to the people for their approval or
 13 rejection, notwithstanding section 1, Article IV of this Constitution, at the next regular state-wide
 14 primary election, except when the Legislative Assembly orders a special election for that purpose.
 15 A proposed revision may deal with more than one subject and shall be voted upon as one question.
 16 The votes for and against the proposed revision shall be canvassed by the Secretary of State in the
 17 presence of the Governor and, if it appears to the Governor that [*the*] a **three-fifths** majority of the
 18 votes cast in the election on the proposed revision are in favor of the proposed revision, he shall,
 19 promptly following the canvass, declare, by his proclamation, that the proposed revision has re-
 20 ceived a **three-fifths** majority of votes and has been adopted by the people as the Constitution of
 21 the State of Oregon or as a part of the Constitution of the State of Oregon, as the case may be. The
 22 revision shall be in effect as the Constitution or as a part of this Constitution from the date of such
 23 proclamation.

24 (2) Subject to subsection (3) of this section, an amendment proposed to the Constitution under
 25 section 1, Article IV, or under section 1 of this Article may be submitted to the people in the form
 26 of alternative provisions so that one provision will become a part of the Constitution if a proposed
 27 revision is adopted by the people and the other provision will become a part of the Constitution if
 28 a proposed revision is rejected by the people. A proposed amendment submitted in the form of al-
 29 ternative provisions as authorized by this subsection shall be voted upon as one question.

30 (3) Subsection (2) of this section applies only when:

31 (a) The Legislative Assembly proposes and refers to the people a revision under subsection (1)
 32 of this section; and

33 (b) An amendment is proposed under section 1, Article IV, or under section 1 of this Article;
 34 and

35 (c) The proposed amendment will be submitted to the people at an election held during the pe-
 36 riod between the adjournment of the legislative session at which the proposed revision is referred
 37 to the people and the next regular legislative session.

38
 39 **PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the**
 40 **people for their approval by a three-fifths majority pursuant to Article II, section 23, of the**
 41 **Oregon Constitution, or rejection at a special election held throughout this state as provided**
 42 **in chapter ___, Oregon Laws 2025 (Enrolled House Bill 3686).**