



Sen. Kayse Jama, Chair
Sen. Bruce Starr, Vice-Chair
Senate Interim Committee on Rule and Executive Appointments for Senators
Oregon Legislative Assembly
February 9, 2026

Testimony of Campaign Legal Center in Support of Senate Bill 1509 with Sponsor Amendments

Dear Chair Jama, Vice-Chair Starr, and Members of the Committee:

Campaign Legal Center (“CLC”) is pleased to offer this testimony in support of Senate Bill 1509 with proposed amendment S.B. 1509-1 (“S.B. 1509”).

CLC is a nonpartisan, nonprofit organization dedicated to advancing democracy through law and policy. CLC’s mission focuses on—and its expertise is built on—laws, rules, and regulations affecting accountability in democratic institutions. Through its extensive work on voting and elections, CLC seeks to ensure a responsive and accountable government at the federal, state, and local level. CLC supports states’ ability to require electors to pledge their votes to the candidate or candidates nominated by the winning political party and authority to enforce the pledge. In 2020, CLC’s expertise in this issue is furthered by its amicus filings in the Supreme Court in *Chiafalo v. Washington*.¹

S.B. 1509 is a comprehensive and necessary good governance bill that provides additional clarity and continuity before, during, and after the meeting of the electors for President and Vice President in the case of any unforeseen circumstances. This bill strengthens existing law and ensures resiliency in three important ways:

First, S.B. 1509 reinforces the existing requirement that presidential electors pledge to vote for the candidate or candidates that win the popular vote in the state by implementing needed enforcement mechanisms. With this legislation, the Secretary

¹ 591 U.S. 578 (2020), *Colorado Dep’t of State v. Baca*, 591 U.S. 655 (2020).

of State is instructed to refuse to count any faithless votes and declare the position of the faithless elector vacant and subject to replacement. Unfortunately, a scenario where an elector is intimidated to such extent that they breach their stated pledge is no longer an abstract fear: the political climate in the United States has created an increased risk for violence or threats of violence that may make electors vulnerable to coercion. This language will ensure the will of the voters is reflected in Oregon's electoral votes should an incident of this nature occur.

Second, S.B. 1509 provides much needed structure and detail to the process of filling vacancies at the meeting of the electors by binding electors to the candidate or candidates nominated by the winning political party. This clarification guards against potential chaos or upheaval if the winning Presidential or Vice-Presidential candidate dies or withdraws before the electors vote. Anticipating a potentially calamitous situation and crafting comprehensive procedures in its unlikely occurrence further strengthens the bedrock and foundations of our democracy, ensuring that the will of the voters will always be reflected in the state's electoral votes and that these votes are cast consistent with the timelines in the federal Electoral College Reform Act.

Third, S.B. 1509 provides further stability to the concrete process of filling vacancies by clarifying that in the case of an elector's inability to attend, for whatever reason, the meeting of the electors will create a vacancy to be filled consistent with the statute. This language ensures continuity for situations not explicitly anticipated under existing law, such as illness or a natural disaster.

The changes reflected in the bill, though seemingly modest and responsive to hopefully rare events, serve to protect against potentially calamitous risks to the democratic process as soon as 2028. A plethora of other states have taken similar action in recognition of the risks inherent in such threats, including: Arizona, California, Montana, Nevada, Utah, and Washington State.² Such laws are built in full or in part on a solid, nonpartisan foundation articulated in by the Uniform Law Commission in their 2010 Uniform Faithful Presidential Electors Act (UFPEA), on with S.B. 1509 is comprehensively based. The concept has also been endorsed by the American Bar Association (ABA) through the ABA's House of Delegates.³

² David Weinburg, *Which States have Robust Faithless Elector laws?*, PROTECT DEMOCRACY, available at [https://docs.google.com/presentation/d/1emLYLCiuEx9nB4t-neGqYKIUyrxuqO0UMLUpnUnFfU/edit?slide=id.g362f92503a7_0_2](https://docs.google.com/presentation/d/1emLYLCiuEx9nB4t-neGqYKIUyrxuqO0UMLUpnUnFfU/edit?slide=id.g362f92503a7_0_2#slide=id.g362f92503a7_0_2) (last visited Feb 6, 2026 at 5:53p.m.).

³ Am. Bar Ass'n., *Delegates Adopt Numerous Policies; Board Approves Priorities for the Year*, (Mar. 1, 2011), https://www.americanbar.org/advocacy/governmental_legislative_work/publications/governmental_affairs_periodicals/washingtonletter/2011/march/midyearmeeting/#:~:text=The%20delegates%20approved,Overseas%20Voters%20Act.

Together, the provisions of this proposed legislation mark a major step forward in ensuring that Oregon has done all it can to ensure a clear and comprehensive process for the binding, releasing, and replacement of Presidential electors should an unlikely, but adverse scenario occur. This legislation contemplates a variety of situations that have the potential to throw the vulnerable and critical post-election period into havoc and provides for thoughtful and well-structured remediations. It would align Oregon with best practices as created and recommended by non-partisan entities and create a more resilient and transparent democracy wherein the will of the people will be upheld despite outside influence or factors.

We strongly urge this committee to support S.B. 1509 with the sponsor's amendments and we thank you for your time and consideration. We are available for questions or outreach at any time.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christa Nicols", is written over a horizontal line. The signature is fluid and cursive, with a distinct "C" at the beginning.

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