

Enrolled
House Bill 4173

Sponsored by COMMITTEE ON RULES

CHAPTER

AN ACT

Relating to the printing of official election ballots; creating new provisions; amending ORS 254.115 and 254.135; and declaring an emergency.

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

SECTION 1. ORS 254.135 is amended to read:

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

- (a) The name of the county for which it is intended.
- (b) The date of the election.

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for offices to be filled at the election whose nominations have been made and accepted and who have not died, withdrawn or become disqualified.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

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

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

(3)(a) The name of each candidate nominated shall be printed [*upon*] **on** the ballot in but one place, without regard to how many times the candidate may have been nominated. The name of a political party, or names of political parties, shall be [*added opposite*] **printed with** the name of a candidate for other than nonpartisan office according to the following rules:

(A) For a candidate not affiliated with a political party who is nominated by a minor political party, the name of the minor political party shall be [*added opposite*] **printed with** the name of the candidate;

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

(C) For a candidate who is a member of a political party who is nominated by a political party of which the candidate is not a member, the name of the political party that nominated the candidate shall be [*added opposite*] **printed with** the name of the candidate;

(D) For a candidate who is a member of a political party who is nominated by more than one political party of which the candidate is not a member, the names of not more than three political parties selected by the candidate shall be [added opposite] **printed with** the name of the candidate;

(E) For a candidate who is nominated only by a political party of which the candidate is a member, the name of the political party of which the candidate is a member shall be [added opposite] **printed with** the name of the candidate; and

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

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

(c) The word "incumbent" shall [follow] **be printed with** the name of each candidate for the Supreme Court, Court of Appeals, Oregon Tax Court or circuit court who is designated the incumbent by the Secretary of State under ORS 254.085.

(d) The word "nonaffiliated" shall [follow] **be printed with** the name of each candidate who is not affiliated with a political party and who is nominated by an assembly of electors or individual electors.

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

SECTION 2. ORS 254.115 is amended to read:

254.115. (1) The official primary election ballot shall be styled "Official Primary Nominating Ballot for the _____ Party." and shall state:

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

(b) The date of the primary election.

(c) The names of all candidates for nomination at the primary election whose nominating petitions or declarations of candidacy have been made and filed, and who have not died, withdrawn or become disqualified.

(d) The names of candidates for election as precinct committeeperson.

(e) The names of candidates for the party nomination for President of the United States who qualified for the ballot under ORS 249.078.

(2) The primary election ballot may include any city, county or nonpartisan office or the number, ballot title and financial estimates under ORS 250.125 of any measure.

(3) The ballot may not contain the name of any person other than those referred to in subsections (1) and (2) of this section. The name of each candidate for whom a nominating petition or declaration of candidacy has been filed shall be printed on the ballot in but one place. In the event that two or more candidates for the same nomination or office have the same or similar surnames, the location of their places of residence shall be printed [opposite] **with** their names to distinguish one from another.

SECTION 3. The amendments to ORS 254.115 and 254.135 by sections 1 and 2 of this 2012 Act apply to ballots for elections held on or after the effective date of this 2012 Act.

SECTION 4. This 2012 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect on its passage.

Passed by House February 27, 2012

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate February 29, 2012

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2012

Approved:

.....M,....., 2012

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2012

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Kate Brown, Secretary of State