

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	6 - 0 - 1
Yeas:	Berger, Buckley, Esquivel, Roblan, Thatcher, Rosenbaum
Nays:	-
Exc.:	Hunt
Prepared By:	Jim Stenbridge, Administrator
Meeting Dates:	5/7

WHAT THE MEASURE DOES: Allows the Attorney General to correct clerical errors in draft or certified ballot titles prepared by the Attorney General for state initiative petitions and referendum measures. Defines clerical error to be a typographical, arithmetical, or grammatical error or omission evident from the text or by comparison with the Attorney General's concurrently-issued explanation. Sets deadline for making corrections. Specifies that time for filing petition for judicial review of corrected ballot title begins on date corrected title is certified.

ISSUES DISCUSSED:

- Number of ballot titles processed by the Attorney General
- Example of a clerical error
- Current methods of correcting errors, through court process
- Policy and procedure for correcting substantive errors or changes in statute after ballot title issued

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The Attorney General is required to prepare ballot titles for citizen initiatives, referenda, and some legislative referrals. Statute outlines the process for the Department of Justice (DOJ) to draft and the public to comment on ballot titles. On occasion the DOJ has certified ballot titles that include typographical or clerical errors. The only way to correct such an error is by Oregon Supreme Court review of a petitioner's challenge to the title. If no review is sought, then the error must go uncorrected. If review is sought, then the Attorney General may concede the error and have the title redrafted. The current process can result in ballot titles with uncorrected clerical errors.

Senate Bill 124-A allows the Attorney General to correct typographical, clerical errors and authorizes the Attorney General to make a correction to a certified ballot title.