

# Senate Bill 575

Sponsored by Senator WALKER

## 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**.

Requires chief petitioners of state initiative or referendum petitions to be residents of Oregon.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to elections; creating new provisions; amending ORS 250.045; and declaring an emergency.

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

4 **SECTION 1.** ORS 250.045 is amended to read:

5 250.045. (1) Before circulating a petition to initiate or refer a state measure under section 1,  
6 Article IV, Oregon Constitution, the petitioner shall file with the Secretary of State a prospective  
7 petition. **All chief petitioners of a petition to initiate or refer a state measure must be resi-**  
8 **dents of this state.** The prospective petition for a state measure to be initiated shall contain a  
9 statement of sponsorship signed by at least 25 electors. The statement of sponsorship shall be at-  
10 tached to a full and correct copy of the measure to be initiated. The signatures in the statement of  
11 sponsorship must be accompanied by a certificate of the county clerk of each county in which the  
12 electors who signed the statement reside, stating the number of signatures believed to be genuine.  
13 The Secretary of State shall date and time stamp the prospective petition and specify the form on  
14 which the petition shall be printed for circulation. The secretary shall approve or disapprove the  
15 form of any petition signature sheet within five business days after the signature sheet is submitted  
16 for review by the secretary. The secretary shall retain the prospective petition.

17 (2) The chief [*petitioner*] **petitioners** may amend the proposed initiated measure filed with the  
18 Secretary of State without filing another prospective petition, if:

19 (a) The Attorney General certifies to the Secretary of State that the proposed amendment will  
20 not substantially change the substance of the measure; and

21 (b) The deadline for submitting written comments on the draft title has not passed.

22 (3) The cover of an initiative or referendum petition shall designate the name and residence  
23 address of not more than three persons as chief petitioners and shall contain instructions for per-  
24 sons obtaining signatures of electors on the petition. The instructions shall be adopted by the Sec-  
25 retary of State by rule. The cover of a referendum petition shall contain the final measure summary  
26 described in ORS 250.065 (1). If a petition seeking a different ballot title is not filed with the Su-  
27 preme Court by the deadline for filing a petition under ORS 250.085, the cover of an initiative peti-  
28 tion shall contain the ballot title described in ORS 250.067 (2). However, if the Supreme Court has  
29 reviewed the ballot title, the cover of the initiative petition shall contain the title certified by the  
30 court.

31 (4) The chief petitioners shall include with the prospective petition a statement declaring

**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 whether one or more persons will be paid money or other valuable consideration for obtaining sig-  
2 natures of electors on the initiative or referendum petition. After the prospective petition is filed,  
3 the chief petitioners shall notify the filing officer not later than the 10th day after any of the chief  
4 petitioners first has knowledge or should have had knowledge that:

5 (a) Any person is being paid for obtaining signatures, when the statement included with the  
6 prospective petition declared that no such person would be paid.

7 (b) No person is being paid for obtaining signatures, when the statement included with the pro-  
8 spective petition declared that one or more such persons would be paid.

9 (5)(a) Each sheet of signatures on an initiative petition shall contain the caption of the ballot  
10 title. Each sheet of signatures on a referendum petition shall contain the subject expressed in the  
11 title of the Act to be referred.

12 (b) Each sheet of signatures on an initiative or referendum petition shall:

13 (A) Contain only the signatures of electors of one county; and

14 (B) If one or more persons will be paid for obtaining signatures of electors on the petition,  
15 contain a notice stating: "Some Circulators For This Petition Are Being Paid." The notice shall be  
16 in boldfaced type and shall be prominently displayed on the sheet.

17 (c) The Secretary of State by rule shall adopt a method of designation to distinguish signature  
18 sheets of referendum petitions containing the same subject reference and being circulated during the  
19 same period.

20 (6) The reverse side of the cover of an initiative or referendum petition shall be used for ob-  
21 taining signatures on an initiative or referendum petition.

22 (7) Not more than 20 signatures on the signature sheet of the initiative or referendum petition  
23 shall be counted. The circulator shall certify on each signature sheet of the initiative or referendum  
24 petition that the individuals signed the sheet in the presence of the circulator and that the  
25 circulator believes each individual is an elector.

26 (8) The person obtaining signatures on the petition shall carry at least one full and correct copy  
27 of the measure to be initiated or referred and shall allow any person to review a copy upon request  
28 of the person.

29 **SECTION 2. (1) The amendments to ORS 250.045 by section 1 of this 2007 Act do not apply**  
30 **to a state initiative or referendum petition that, if filed with the required number of signa-**  
31 **tures of electors, will be submitted to the people at an election held prior to or on the first**  
32 **Tuesday after the first Monday in November 2008.**

33 **(2) The amendments to ORS 250.045 by section 1 of this 2007 Act apply to a state initiative**  
34 **or referendum petition for which a prospective petition is filed on or after the effective date**  
35 **of this 2007 Act and that, if filed with the required number of signatures of electors, will be**  
36 **submitted to the people at an election held after the first Tuesday after the first Monday in**  
37 **November 2008.**

38 **SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**  
39 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**  
40 **on its passage.**