

## SENATE AMENDMENTS TO SENATE BILL 1071

By COMMITTEE ON ELECTIONS AND ETHICS

February 13

1 On page 1 of the printed bill, line 2, after “provisions;” delete the rest of the line and insert  
2 “amending ORS 246.021 and 260.057; and declaring an emergency.”.

3 On page 2, delete lines 41 and 42 and insert:

4 “**SECTION 2.** ORS 246.021 is amended to read:

5 “246.021. (1) Except as provided in ORS 247.012 and subsection (2) of this section, an election  
6 document and an accompanying payment of fees required to be filed with the Secretary of State,  
7 county clerk or other filing officer must be delivered to and actually received at the office of the  
8 designated officer not later than 5 p.m. of the day the document or fee is due or, if the day due is  
9 a Saturday, Sunday or holiday, on the next business day.

10 “(2) If, at 5 p.m. of the day an election document is due, an individual is physically present in  
11 the office of the secretary, county clerk or other filing officer and in line waiting to deliver the  
12 document, the individual is considered to have begun the act of delivering the document and is  
13 permitted to file it.

14 “(3) Any election document required to be filed with the filing officer other than ballots, voter  
15 registration cards or petitions requiring signatures of electors may also be filed by means of an  
16 electronic facsimile transmission machine. If an election document is required to be filed by a  
17 specified time, the entire document must be received in the office of the filing officer not later than  
18 5 p.m. of the day the document is due or, if the day due is a Saturday, Sunday or holiday, on the  
19 next business day.

20 “(4) Notwithstanding any provision of subsections (1) to (3) of this section, if a statement is re-  
21 quired to be filed electronically under ORS 260.057:

22 “(a) The statement must be received electronically at the office of the Secretary of State not  
23 later than [*12 midnight*] **11:59 p.m.** of the day the statement is due or, if the day due is a Saturday,  
24 Sunday or holiday, on the next business day; and

25 “(b) The Secretary of State may not accept the filing of the statement in any form other than  
26 an electronic format.

27 “(5) As used in this section, ‘election document’ includes, but is not limited to, a declaration of  
28 candidacy for nomination for public or political party office, completed nominating petitions, state-  
29 ments and portraits for voters’ pamphlets, statements of election campaign contributions and  
30 expenditures, and initiative, referendum or recall petitions.

31 “**SECTION 3.** (1) **Not later than April 1, 2008, a treasurer appointed by the chief**  
32 **petitioners of an initiative, referendum or recall petition shall file a statement under ORS**  
33 **260.057 and 260.118 of any contributions received or expenditures made by the treasurer or**  
34 **chief petitioner prior to January 1, 2008, that were not included on a statement filed with a**  
35 **filing officer prior to January 1, 2008.**

1       “(2) Subsection (1) of this section does not apply if the treasurer has filed a statement  
2 under ORS 260.057 and 260.118 prior to April 1, 2008, that includes all contributions received  
3 and expenditures made by the treasurer or chief petitioner prior to January 1, 2008, that  
4 were not included on a statement filed with a filing officer prior to January 1, 2008.

5       “SECTION 4. The amendments to ORS 260.057 by section 1 of this 2008 Act apply to  
6 contributions received on or after January 1, 2009.

7       “SECTION 5. This 2008 Act being necessary for the immediate preservation of the public  
8 peace, health and safety, an emergency is declared to exist, and this 2008 Act takes effect  
9 on its passage.”.

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