

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	5 - 0 - 0
Yeas:	Atkinson, Burdick, Ferrioli, Metsger, Devlin
Nays:	-
Exc.:	-
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	5/12, 5/15

WHAT THE MEASURE DOES: Requires election filing officer to modify ballot when vacancy occurs before the 47th day prior to date of election. Requires special election to be held when vacancy occurs due to death of major party candidate for state office after 47th day before date of general election.

ISSUES DISCUSSED:

- Time and financial costs of correcting ballots if vacancy occurs
- Alignment of ballot modification dates with the deadline for mailing ballots to overseas voters

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 254.165 requires the Secretary of State to modify the ballot when a vacancy due to death, withdrawal, or disqualification of a candidate for an office occurs before the 30th day prior to the date of the election. No change to the ballot is required if a vacancy occurs on or after the 30th day prior to the date of the election. If a vacancy occurs after the 30th day before the date of the general election for a state office due to the death of a candidate of a major political party for that office, the ballot is not modified. Rather the election is not held, ballots are not counted for that office, and a special election is ordered by the Secretary of State. ORS 254.470 requires ballots to be mailed to most voters between the 14th and 18th day prior to an election. However, there is also a 45-day mailing deadline for ballots going to long-term absent electors, including military personnel (ORS 253.045, ORS 253.065 and ORS 253.510).

House Bill 2621 addresses situations where a candidate vacancy occurs after ballots are mailed to long-term absent electors, but before the cutoff date established in ORS 254.165 for ballot modification.