

# House Bill 3237

Sponsored by Representative BARKER (at the request of Richard P. Burke, Heidi Rickey)

## 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**.

Provides that election ballots list names of all political parties that have nominated candidate for election.

Requires Secretary of State to include statement in voters' pamphlet regarding nominating process.

## A BILL FOR AN ACT

1  
2 Relating to elections; creating new provisions; and amending ORS 251.065 and 254.135.

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

4 **SECTION 1.** ORS 254.135 is amended to read:

5 254.135. (1) The official general or special election ballot shall be styled "Official Ballot" and  
6 shall state:

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

8 (b) The date of the election.

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10 been made and accepted and who have not died, withdrawn or become disqualified.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

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

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

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

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

27 (B) For a candidate not affiliated with a political party who is nominated by more than one  
28 minor political party, the name of *[the]* **one** minor political party selected by the candidate shall be  
29 added opposite the name of the candidate[;]. **Any other political party or parties that also**  
30 **nominated the candidate shall be listed after the name of the party selected by the candidate**

**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 **under this subparagraph.**

2 (C) For a candidate who is a member of a political party who is nominated by a political party  
 3 of which the candidate is not a member, the name of the political party that nominated the candi-  
 4 date shall be added opposite the name of the candidate[;].

5 (D) For a candidate who is a member of a political party who is nominated by more than one  
 6 political party of which the candidate is not a member, the name of [*the*] **one** political party selected  
 7 by the candidate shall be added opposite the name of the candidate[; *and*]. **Any other political**  
 8 **party or parties that also nominated the candidate shall be listed after the name of the party**  
 9 **selected by the candidate under this subparagraph.**

10 (E) For a candidate who is nominated by a political party of which the candidate is a member,  
 11 the name of the political party of which the candidate is a member shall be added opposite the name  
 12 of the candidate. **Any other political party or parties that also nominated the candidate shall**  
 13 **be listed after the name of the party of which the candidate is a member.**

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

17 (c) The word “incumbent” shall follow the name of each candidate for the Supreme Court, Court  
 18 of Appeals, Oregon Tax Court or circuit court who is designated the incumbent by the Secretary  
 19 of State under ORS 254.085.

20 (d) The word “nonaffiliated” shall follow the name of each candidate who is not affiliated with  
 21 a political party and who is nominated by an assembly of electors or individual electors.

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

24 **SECTION 2.** ORS 251.065 is amended to read:

25 251.065. (1) Not later than the 68th day before the primary election, any candidate or agent on  
 26 behalf of the candidate for nomination or election at the primary election to the office of President  
 27 or Vice President of the United States, United States Senator, Representative in Congress or any  
 28 state office as defined in ORS 249.002 may file with the Secretary of State a portrait of the candidate  
 29 and a printed or typewritten statement of the reasons the candidate should be nominated or elected.  
 30 A candidate or agent on behalf of the candidate for nomination or election to any county or city  
 31 office, or to an elected office of a metropolitan service district organized under ORS chapter 268,  
 32 may file a portrait and statement under this subsection if permitted under ORS 251.067.

33 (2) Not later than the 70th day before the general election, any candidate or agent on behalf  
 34 of the candidate for election at the general election to the office of President or Vice President of  
 35 the United States, United States Senator, Representative in Congress or any state office as defined  
 36 in ORS 249.002 may file with the Secretary of State a portrait of the candidate and a printed or  
 37 typewritten statement of the reasons the candidate should be elected. A candidate or agent on behalf  
 38 of the candidate for election to any county or city office, or to an elected office of a metropolitan  
 39 service district organized under ORS chapter 268, may file a portrait and statement under this sub-  
 40 section if permitted under ORS 251.067. **A candidate or agent on behalf of the candidate may file**  
 41 **only one portrait and one statement under this section, without regard to how many political**  
 42 **parties may have nominated the candidate.**

43 (3) In the case of a special election to fill a vacancy as described in ORS 251.022, the Secretary  
 44 of State by rule shall set the deadline for filing with the secretary a portrait of the candidate and  
 45 a printed or typewritten statement of the reasons the candidate should be nominated or elected.

1 (4) Subject to subsections (1) to (3) of this section, the Secretary of State by rule shall establish  
2 the format of the statements permitted under this section.

3 (5) A portrait or statement filed under this section shall be accompanied by a telephone or  
4 electronic facsimile transmission machine number where the candidate may be contacted for pur-  
5 poses of ORS 251.087.

6 **SECTION 3. Section 4 of this 2009 Act is added to and made a part of ORS chapter 251.**

7 **SECTION 4. The Secretary of State shall include in the voters' pamphlet a statement  
8 explaining that if the names of more than one political party are listed after a candidate's  
9 name in the voters' pamphlet or on the ballot, the candidate has been nominated by more  
10 than one political party but is primarily a candidate for the first party listed opposite the  
11 name of the candidate.**

12 **SECTION 5. (1) The amendments to ORS 254.135 by section 1 of this 2009 Act apply to  
13 ballots for elections held on or after the effective date of this 2009 Act.**

14 **(2) Section 4 of this 2009 Act and the amendments to ORS 251.065 by section 2 of this 2009  
15 Act apply to voters' pamphlets printed on or after the effective date of this 2009 Act.**

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