

**A-Engrossed**  
**Senate Bill 326**

Ordered by the House June 24  
Including House Amendments dated June 24

Sponsored by Senators METSGER, WALKER; Senator MORRISETTE (Presession filed.)

**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.

Repeals provision prohibiting elector from participating in more than one nominating process for each partisan public office to be filled at general election.

**Allows, on general or special election ballot, listing names of up to three political parties opposite name of candidate in certain circumstances.**

**Requires Secretary of State to conduct general review of adoption of cross-nomination system and to report conclusions to Legislative Assembly on or before October 1, 2010.**

**A BILL FOR AN ACT**

1  
2 Relating to elections; creating new provisions; amending ORS 254.135; and repealing ORS 254.069.

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

4 **SECTION 1. ORS 254.069 is repealed.**

5 **SECTION 2.** ORS 254.135 is amended to read:

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

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

9 (b) The date of the election.

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11 been made and accepted and who have not died, withdrawn or become disqualified.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

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

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

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

26 (A) For a candidate not affiliated with a political party who is nominated by a minor political

**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 party, the name of the minor political party shall be added opposite the name of the candidate;

2 (B) For a candidate not affiliated with a political party who is nominated by more than one  
3 minor political party, the *[name of the]* **names of not more than three** minor political *[party]*  
4 **parties** selected by the candidate shall be added opposite the name of the candidate;

5 (C) For a candidate who is a member of a political party who is nominated by a political party  
6 of which the candidate is not a member, the name of the political party that nominated the candi-  
7 date shall be added opposite the name of the candidate;

8 (D) For a candidate who is a member of a political party who is nominated by more than one  
9 political party of which the candidate is not a member, the *[name of the]* **names of not more than**  
10 **three** political *[party]* **parties** selected by the candidate shall be added opposite the name of the  
11 candidate; *[and]*

12 (E) For a candidate who is nominated **only** by a political party of which the candidate is a  
13 member, the name of the political party of which the candidate is a member shall be added opposite  
14 the name of the candidate<sup>[.]</sup>; **and**

15 **(F) For a candidate who is nominated by a political party of which the candidate is a**  
16 **member and by any political party or parties of which the candidate is not a member, the**  
17 **name of the political party of which the candidate is a member and the names of not more**  
18 **than two other political parties selected by the candidate shall be added opposite the name**  
19 **of the candidate.**

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

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

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

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

30 **SECTION 3. The Secretary of State shall conduct a general review of the adoption of a**  
31 **cross-nomination system for candidates for public office in Oregon. The secretary may assess**  
32 **similar laws in other states. The secretary shall report conclusions of the secretary’s review**  
33 **and any recommended legislation to the Legislative Assembly not later than October 1, 2010.**

34 **SECTION 4. The amendments to ORS 254.135 by section 2 of this 2009 Act apply to ballots**  
35 **for elections held on or after the effective date of this 2009 Act.**

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