

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass the A-Engrossed Measure
Vote:	4 - 0 - 1
Yeas:	Beyer, Burdick, Ferrioli, Rosenbaum
Nays:	0
Exc.:	Atkinson
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	6/7, 6/9

WHAT THE MEASURE DOES: Directs elections officials to determine habitation within district as required for serving as state senator or representative, by considering several factors, including, but not limited to location where personal mail is received and addresses listed on driver’s license, motor vehicle registration, utilities, tax returns and voter registration, if any.

ISSUES DISCUSSED:

- Difference in requirements for registering to vote and eligibility to serve as a state senator or representative
- Current criteria used by Elections Division to verify residency
- Definition of “inhabitation” and “residence”
- Implications for individuals with multiple homes

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Article IV, Section 8 of the Oregon Constitution states that “a person may not be a Senator or Representative if the person at the time of election . . . has not been for one year next preceding the election an inhabitant of the district from which the Senator or Representative may be chosen.” In July, 2008, a House District 29 candidate was found not to inhabit the district. The candidate had been voting in the district for many years, but a review of the district boundary showed that although most of the candidate’s property was in District 29, the candidate’s home was in District 26.

House Bill 3576-A provides criteria for elections officials to apply when it has been determined that the Constitutional requirement of one year’s in-district inhabitation has been met by a potential candidate.