

House Bill 2249

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Health Care for Secretary of State Kate Brown)

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**.

Modifies time period for candidate to file nominating petition or declaration of candidacy.

A BILL FOR AN ACT

1
2 Relating to filing for candidacy; creating new provisions; and amending ORS 249.037, 249.200 and
3 249.205.

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

5 **SECTION 1.** ORS 249.037 is amended to read:

6 249.037. (1) A nominating petition or declaration of candidacy shall be filed not sooner than the
7 250th day and not later than the [70th] **77th** day before the date of the primary election.

8 (2) Notwithstanding subsection (1) of this section, a declaration of candidacy for the office of
9 precinct committeeperson may not be filed before February 1 immediately preceding the primary
10 election.

11 **SECTION 2.** ORS 249.200 is amended to read:

12 249.200. (1) A major political party may nominate a candidate to fill a vacancy in a partisan
13 elective office in the following manner:

14 (a) If the vacancy occurs on or before the [70th] **77th** day before a primary election, by selecting
15 a nominee at the next primary election; or

16 (b) If the vacancy occurs after the [70th] **77th** day before the primary election but before the
17 61st day before the general election, by selecting a nominee as provided by party rule.

18 (2) The procedure under subsection (1) of this section shall not apply in any case in which one
19 of the following specific procedures for filling a vacancy applies:

20 (a) The procedure specified in ORS 188.120 for the offices of Representative in Congress and
21 United States Senator.

22 (b) The appointment procedure specified in ORS 171.051 to 171.064 for state legislative office.

23 (c) The procedure specified in ORS chapter 236 for county office.

24 (d) The procedure specified in ORS chapter 221 for city office.

25 (3) A party that selects a nominee under subsection (1)(b) of this section, immediately after the
26 nomination, shall notify the filing officer with whom a declaration of candidacy for the office is filed
27 of the name of the nominee by the most expeditious means practicable.

28 (4) The Secretary of State by rule may adopt a schedule specifying the period following a va-
29 cancy within which a major political party that selects a nominee under subsection (1)(b) of this
30 section must notify the filing officer of the name of the nominee under subsection (3) of this section.

31 **SECTION 3.** ORS 249.205 is amended to read:

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.

1 249.205. (1) If the only candidate nominated to a nonpartisan office dies, withdraws or becomes
2 ineligible, or if a vacancy occurs in the nonpartisan office after the [70th] **77th** day before the
3 nominating election and on or before the 62nd day before the general election, a candidate for the
4 office may file a declaration of candidacy in the manner provided for nonpartisan office or shall be
5 nominated by nominating petition in the manner provided for nonpartisan office.

6 (2) The Secretary of State by rule may adopt a schedule for filing nominating petitions or dec-
7 larations of candidacy under this section. The schedule may specify the period within which nomi-
8 nating petitions or declarations of candidacy must be filed after a vacancy occurs.

9 **SECTION 4. The amendments to ORS 249.037, 249.200 and 249.205 by sections 1 to 3 of this**
10 **2011 Act apply to elections that occur on or after the effective date of this 2011 Act.**

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