

# House Bill 2912

Sponsored by Representative WINGARD (Pre-session 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 **as introduced**.

Requires automatic full recount of votes cast for nomination or election of candidate to non-partisan office at nominating election when candidate receives close to majority of votes cast for office.

## A BILL FOR AN ACT

1  
2 Relating to elections; amending ORS 258.280.

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

4 **SECTION 1.** ORS 258.280 is amended to read:

5 258.280. (1) The Secretary of State shall order a full recount of the votes cast for nomination  
6 or election to a public office for which the Secretary of State is the filing officer, and the county  
7 clerk who conducted the election shall order a full recount of the votes cast for nomination or  
8 election to any other public office if the canvass of votes of the election reveals that:

9 (a) Two or more candidates for that nomination or office have an equal and the highest number  
10 of votes; or

11 (b) The difference in the number of votes cast for a candidate apparently nominated or elected  
12 to the office and the votes cast for the closest apparently defeated opponent is not more than one-  
13 fifth of one percent of the total votes for both candidates.

14 **(2)(a) Unless otherwise provided by a home rule charter, at a nominating election for a**  
15 **nonpartisan office held on the date of the primary election, the Secretary of State shall order**  
16 **a full recount of the votes cast for nomination or election to a nonpartisan office for which**  
17 **the Secretary of State is the filing officer, and the county clerk who conducted the election**  
18 **shall order a full recount of the votes cast for nomination or election to any other nonpar-**  
19 **tisan office, if the canvass of votes of the election reveals that the number of votes cast for**  
20 **a candidate differs from a majority of votes cast for the office by not more than one-fifth**  
21 **of one percent of the total votes cast for the office.**

22 **(b) This subsection does not apply to the office of sheriff, the office of county clerk, the**  
23 **office of county treasurer or a candidate to fill a vacancy, as described in ORS 249.088.**

24 [(2)] (3) The cost of a full recount conducted under this section shall be paid by the county for  
25 a county office, by the city for a city office, by the special district for a special district office or by  
26 the state for any other office.

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**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.