

House Bill 2405

Sponsored by Representative OLSON; Representative WHISNANT (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 **as introduced**.

Requires that proof of eligibility for candidates for President of United States be submitted to Secretary of State in order to appear on ballot.

A BILL FOR AN ACT

1
2 Relating to candidacy for President of the United States; amending ORS 249.078.

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

4 **SECTION 1.** ORS 249.078 is amended to read:

5 249.078. (1) **Except as provided in subsection (4) of this section**, the name of a candidate for
6 a major political party nomination for President of the United States shall be printed on the ballot
7 only:

8 (a) By direction of the Secretary of State who in the secretary's sole discretion has determined
9 that the candidate's candidacy is generally advocated or is recognized in national news media; or

10 (b) By nominating petition described in this section and filed with the Secretary of State.

11 (2) A petition nominating a candidate under this section shall contain from each congressional
12 district the signatures of at least 1,000 electors who are registered in the district and who are
13 members of the major political party of the candidate. The electors in each congressional district
14 shall include electors registered in at least five percent of the precincts in each of at least one-
15 fourth of the counties in the congressional district. The petition shall contain the printed name,
16 residence or mailing address and name or number of the precinct, if known, of each elector whose
17 signature appears on the petition. The signatures shall be certified for genuineness by the county
18 clerks under ORS 249.008.

19 (3) Before circulating the nominating petition, the chief sponsor shall file with the Secretary of
20 State a signed copy of the prospective petition. The chief sponsor shall include with the prospective
21 petition a statement declaring whether one or more persons will be paid money or other valuable
22 consideration for obtaining signatures of electors on the petition. After the prospective petition is
23 filed, the chief sponsor shall notify the Secretary of State not later than the 10th day after the chief
24 sponsor first has knowledge or should have had knowledge that:

25 (a) Any person is being paid for obtaining signatures, when the statement included with the
26 prospective petition declared that no such person would be paid.

27 (b) No person is being paid for obtaining signatures, when the statement included with the pro-
28 spective petition declared that one or more such persons would be paid.

29 (4) **A candidate for President of the United States, or the political party that has nomi-**
30 **ated the candidate, shall submit to the Secretary of State proof of the candidate's eligibility**
31 **for office under Article II, section 1, of the United States Constitution. The name of a can-**

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 **didate for President of the United States may not be placed on a ballot unless the Secretary**
2 **of State receives each of the following:**

3 **(a) An original long form birth certificate for the candidate that includes:**

4 **(A) The place and date of birth of the candidate;**

5 **(B) The name of the hospital in which the candidate was born;**

6 **(C) The name of the attending physician; and**

7 **(D) The signatures of the witnesses in attendance.**

8 **(b) A sworn statement by the candidate:**

9 **(A) Attesting that the candidate has not held dual or multiple citizenship and that the**
10 **candidate's allegiance is solely to the United States of America; and**

11 **(B) That identifies each place of residence in the United States for the candidate during**
12 **the preceding 14 years.**

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