

Senate Bill 159

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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**.

Allows agent of chief petitioner to submit signature sheets for initiative or referendum petition to Secretary of State.

A BILL FOR AN ACT

1
2 Relating to elections; amending ORS 250.105.

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

4 **SECTION 1.** ORS 250.105 is amended to read:

5 250.105. (1)(a) An initiative or referendum petition relating to a state measure must be filed with
6 the Secretary of State for the purpose of verifying whether the petition contains the required num-
7 ber of signatures of electors.

8 (b) Signatures previously verified on a prospective petition for a state measure to be initiated
9 shall be included in the calculation under this section for the purpose of verifying whether the ini-
10 tiative petition contains the required number of signatures of electors.

11 (c) When [*filing*] an initiative or referendum petition **is filed**, the [*chief petitioner shall sort the*]
12 signature sheets **must be sorted** on the basis of the name of the person who obtained the signatures
13 on the sheet.

14 (d) The secretary shall adopt rules establishing procedures for verifying signatures on an initi-
15 ative or referendum petition.

16 (e) A filed initiative or referendum petition must contain only original signatures. The secretary
17 or county clerk shall verify each petition in the order in which the petitions are filed with the
18 secretary.

19 (2)(a) Once every month, the chief petitioner of an initiative petition relating to a state
20 measure, **or an agent on behalf of the chief petitioner**, shall file with the secretary all signature
21 sheets containing signatures of electors obtained by a person being paid to obtain signatures on the
22 petition since the previous monthly filing. The secretary shall hold all signature sheets filed under
23 this subsection unless the chief petitioner withdraws the petition.

24 (b) The secretary shall adopt rules prescribing the dates by which signature sheets must be filed
25 each month. The secretary may not accept signature sheets containing signatures of electors ob-
26 tained by a person being paid to obtain signatures on the petition before the previous monthly filing
27 deadline prescribed under this paragraph for purposes of determining whether an initiative petition
28 relating to a state measure contains the required number of signatures of electors under this sec-
29 tion.

30 (3) The secretary may not accept a referendum petition relating to a state measure for filing if

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 the petition contains less than 100 percent of the required number of signatures. The secretary may
2 not determine whether an initiative petition contains the required number of signatures of electors
3 unless at least 100 percent of the required number of signatures have been filed with the secretary.

4 (4) If the total number of signatures required on an initiative petition or referendum petition is
5 submitted not less than 165 days before the election at which the proposed measure is to be voted
6 upon and if the secretary determines that insufficient signatures have been submitted but the dead-
7 line for filing signatures on the petition has not passed, the petitioners may submit additional sig-
8 natures.

9 (5) The secretary by rule shall designate a statistical sampling technique to verify whether a
10 petition contains the required number of signatures of electors. A petition may not be rejected for
11 the reason that it contains less than the required number of signatures unless two separate sampling
12 processes both establish that the petition lacks the required number of signatures. The second
13 sampling must contain a larger number of signatures than the first sampling. If two samplings are
14 required under this subsection, the total number of signatures verified on the petition shall be not
15 less than five percent of the total number of signatures on the petition.

16 (6) For purposes of estimating the number of duplicate signatures contained in a petition, the
17 secretary shall apply at least an eight percent duplication rate in the first sampling of signatures
18 on all petitions. If a second sampling of signatures is required under subsection (5) of this section,
19 the secretary shall calculate an estimated signature duplication rate for each petition for which a
20 second sampling is required. The calculation shall be based on the number of electors the secretary
21 determines have signed a specific petition more than once.

22 (7) When verifying signatures for a state initiative or referendum petition, the secretary or
23 county clerk shall identify on an elector's voter registration record or other database that the
24 elector signed the specific initiative or referendum petition.

25 (8) The Secretary of State may employ professional assistance to determine the sampling tech-
26 nique to be designated under subsection (5) of this section.

27 (9) The Secretary of State and the county clerk, if requested, shall permit authorized persons to
28 be at the office of the secretary or county clerk to watch the verification of signatures on a state
29 initiative petition or prospective petition for a state measure to be initiated under this section. The
30 authorization shall be in writing and shall be filed with the secretary or county clerk. The secretary
31 or county clerk shall permit only as many persons as watchers under this subsection as will not
32 interfere with an orderly procedure at the office of the secretary or county clerk.

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