

Senate Bill 152

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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**.

Requires paid signature gatherers for state initiative or referendum petition or prospective petition to sign signature sheet before notary public.

A BILL FOR AN ACT

1
2 Relating to election petitions; creating new provisions; and amending ORS 250.045.

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

4 **SECTION 1.** ORS 250.045 is amended to read:

5 250.045. (1) Before circulating a petition to initiate or refer a state measure under section 1,
6 Article IV, Oregon Constitution, the petitioner shall file with the Secretary of State a prospective
7 petition. The prospective petition for a state measure to be initiated shall contain the signatures of
8 at least 1,000 electors. The signature sheets must be attached to a full and correct copy of the
9 measure to be initiated.

10 (2) Before obtaining signatures on a prospective petition for a state measure to be initiated, the
11 chief petitioners shall file with the secretary a statement declaring whether one or more persons
12 will be paid money or other valuable consideration for obtaining signatures of electors on the pro-
13 spective petition. After a statement has been filed under this subsection, the chief petitioners shall
14 notify the secretary not later than the 10th day after any of the chief petitioners first has knowledge
15 or should have had knowledge that:

16 (a) Any person is being paid for obtaining signatures, when the statement filed under this sub-
17 section declared that no such person would be paid.

18 (b) No person is being paid for obtaining signatures, when the statement filed under this sub-
19 section declared that one or more such persons would be paid.

20 (3) The secretary by rule shall establish procedures for verifying whether a prospective petition
21 for a state measure to be initiated contains the required number of signatures of electors.

22 (4) The secretary shall date and time stamp the prospective petition and specify the form on
23 which the initiative or referendum petition shall be printed for circulation as provided in ORS
24 250.052. The secretary shall retain the prospective petition.

25 (5) The chief petitioner may amend the state measure to be initiated that has been filed with the
26 secretary without filing another prospective petition, if:

27 (a) The Attorney General certifies to the secretary that the proposed amendment will not sub-
28 stantially change the substance of the measure; and

29 (b) The deadline for submitting written comments on the draft title has not passed.

30 (6) The cover of an initiative or referendum petition shall designate the name and residence

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 address of not more than three persons as chief petitioners and shall contain instructions for per-
 2 sons obtaining signatures of electors on the petition. The instructions shall be adopted by the sec-
 3 retary by rule. The cover of a referendum petition shall contain the final measure summary
 4 described in ORS 250.065 (1). If a petition seeking a different ballot title is not filed with the Su-
 5 preme Court by the deadline for filing a petition under ORS 250.085, the cover of an initiative peti-
 6 tion shall contain the latest ballot title certified by the Attorney General under ORS 250.067 (2).
 7 However, if the Supreme Court has reviewed the ballot title, the cover of the initiative petition shall
 8 contain the title certified by the court.

9 (7) The chief petitioners shall include with the prospective petition a statement declaring
 10 whether one or more persons will be paid money or other valuable consideration for obtaining sig-
 11 natures of electors on the initiative or referendum petition. After the prospective petition is filed,
 12 the chief petitioners shall notify the filing officer not later than the 10th day after any of the chief
 13 petitioners first has knowledge or should have had knowledge that:

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

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

18 (8)(a) Each sheet of signatures on an initiative petition shall contain the caption of the ballot
 19 title. Each sheet of signatures on a referendum petition shall contain the subject expressed in the
 20 title of the Act to be referred.

21 (b) Each sheet of signatures on an initiative or referendum petition shall:

22 (A) Contain a notice describing the meaning of the color of the signature sheet in accordance
 23 with ORS 250.052; and

24 (B) If one or more persons will be paid for obtaining signatures of electors on the petition,
 25 contain a notice stating: "Some Circulators For This Petition Are Being Paid." The notice shall be
 26 in boldfaced type and shall be prominently displayed on the sheet.

27 (c) The secretary by rule shall adopt a method of designation to distinguish signature sheets of
 28 referendum petitions containing the same subject reference and being circulated during the same
 29 period.

30 (9) The reverse side of the cover of an initiative or referendum petition shall be used for ob-
 31 taining signatures on the initiative or referendum petition.

32 (10) Not more than 20 signatures on the signature sheet of the initiative or referendum petition
 33 may be counted.

34 (11) The circulator shall **sign and** certify **before a notary public** on each signature sheet of
 35 the initiative or referendum petition that the circulator:

36 (a) Witnessed the signing of the signature sheet by each individual whose signature appears on
 37 the signature sheet; and

38 (b) Believes each individual is an elector.

39 [(11)] (12) The person obtaining signatures on the petition shall carry at least one full and cor-
 40 rect copy of the measure to be initiated or referred and shall allow any person to review a copy
 41 upon request of the person.

42 **SECTION 2. The amendments to ORS 250.045 by section 1 of this 2013 Act apply to sig-**
 43 **natures collected on signatures sheets on or after the effective date of this 2013 Act.**