

# Senate Bill 160

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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**.

Clarifies that only chief petitioner who pays person to collect signatures on statewide initiative or referendum petitions is required to keep detailed accounts.

## A BILL FOR AN ACT

1  
2 Relating to elections; amending ORS 260.262.

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

4 **SECTION 1.** ORS 260.262 is amended to read:

5 260.262. (1) As used in this section, "accounts" means:

6 (a) Any contract entered into by a chief petitioner of an initiative or referendum petition **re-**  
7 **lating to a state measure** and any person for purposes of obtaining signatures on the initiative or  
8 referendum petition or on a prospective petition for a state measure to be initiated;

9 (b) Any employment manual or training materials provided to persons who obtain signatures on  
10 the petition or prospective petition;

11 (c) Payroll records for each employee obtaining signatures on the petition or prospective peti-  
12 tion showing hours worked, number of signatures collected and amounts paid;

13 (d) Records identifying the amount and purpose of each payment made by the chief petitioner  
14 or any contractor, as defined in ORS 260.563, to any subcontractor, as defined in ORS 260.563, ob-  
15 taining signatures on the petition or prospective petition; and

16 (e) Copies of signature sheets circulated by persons who are being paid to obtain signatures on  
17 the petition or prospective petition.

18 (2) For purposes of enforcing section 1b, Article IV of the Oregon Constitution, a chief petitioner  
19 of an initiative or referendum petition **relating to a state measure** who pays any person money  
20 or other valuable consideration to obtain signatures on the petition or prospective petition shall  
21 keep detailed accounts. The accounts shall be current as of not later than the seventh calendar day  
22 after the date a payment is made to a person for obtaining signatures on the petition or prospective  
23 petition.

24 (3) The Secretary of State shall review the accounts of each chief petitioner described in sub-  
25 section (2) of this section in the manner and according to a regular schedule adopted by the secre-  
26 tary by rule.

27 (4) In addition to the review conducted under subsection (3) of this section, the secretary, At-  
28 torney General or Commissioner of the Bureau of Labor and Industries may inspect the accounts  
29 of a chief petitioner described in subsection (2) of this section under reasonable circumstances at  
30 any time before the deadline for filing signatures on the petition or during the period specified for

**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 retention of the accounts under subsection (5) of this section. The right of inspection may be en-  
2 forced by writ of mandamus issued by any court of competent jurisdiction.

3 (5) A chief petitioner must preserve the accounts pertaining to an initiative or referendum pe-  
4 tition **relating to a state measure** or a prospective petition for a state measure to be initiated for  
5 at least two years after the deadline for filing the petition for verification of signatures or at least  
6 two years after the date the last statement is filed under ORS 260.118, whichever is later.

7 (6) If a chief petitioner does not produce accounts under subsection (3) or (4) of this section:

8 (a) There is a rebuttable presumption that a violation of section 1b, Article IV of the Oregon  
9 Constitution, has occurred; and

10 (b) The chief petitioner may not obtain additional signatures on the petition or prospective pe-  
11 tition until the chief petitioner is able to supply the accounts to the secretary, Attorney General  
12 or commissioner.

13 (7) Accounts are not subject to disclosure under ORS 192.410 to 192.505.

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