

A-Engrossed
House Bill 2957

Ordered by the House March 23
Including House Amendments dated March 23

Sponsored by COMMITTEE ON RULES

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.

Establishes specific dates for elections on county measures, city measures and district measures that are not referred to people by county governing body, city governing body or district elections authority.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to local elections; creating new provisions; amending ORS 203.085, 221.230 and 255.185; and
3 declaring an emergency.

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

5 **SECTION 1.** ORS 203.085 is amended to read:

6 203.085. (1) Except as provided in subsection [(2)] **(3)** of this section, no election on a county
7 measure **referred by the county governing body** or for a county office shall be held on any date
8 other than:

9 (a) The second Tuesday in March;

10 (b) The third Tuesday in May;

11 (c) The third Tuesday in September; or

12 (d) The first Tuesday after the first Monday in November.

13 **(2) Except as provided in subsection (3) of this section, no election on a county measure**
14 **other than a county measure referred by the county governing body shall be held on any date**
15 **other than:**

16 **(a) The third Tuesday in May; or**

17 **(b) The first Tuesday after the first Monday in November.**

18 [(2)] **(3)** An emergency election may be held on a date other than those provided in subsection
19 (1) **or (2)** of this section[,] if the county governing body by resolution finds that an emergency exists
20 that will require an election sooner than the next available election date to avoid extraordinary
21 hardship to the community. A determination under this subsection as to whether an emergency ex-
22 ists is within the sole discretion of the county governing body.

23 [(3)] **(4)** A county governing body, with adequate notice, shall hold a public hearing, on a date
24 other than a regularly scheduled meeting, for the purpose of making findings substantiating the fact
25 that an emergency exists before scheduling an election on a date other than those specified in sub-
26 section (1) **or (2)** of this section.

27 [(4)] **(5)** Notice of a county's intent to hold an emergency election shall be filed with the county

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 elections authority no later than 47 days preceding the desired election date. At the time the notice
 2 of election is given to the county elections authority, the county shall also file with the elections
 3 authority a certified copy of the ballot title and a copy of the resolution and findings adopted by the
 4 county governing body to authorize the emergency election as required under subsection [(3)] (4)
 5 of this section.

6 **SECTION 2.** ORS 221.230 is amended to read:

7 221.230. (1) Except as provided in subsection [(2)] (3) of this section, no election on a city
 8 measure **referred by the city governing body** or for a city office shall be held on any date other
 9 than:

- 10 (a) The second Tuesday in March;
- 11 (b) The third Tuesday in May;
- 12 (c) The third Tuesday in September; or
- 13 (d) The first Tuesday after the first Monday in November.

14 **(2) Except as provided in subsection (3) of this section, no election on a city measure**
 15 **other than a city measure referred by the city governing body shall be held on any date other**
 16 **than:**

- 17 **(a) The third Tuesday in May; or**
- 18 **(b) The first Tuesday after the first Monday in November.**

19 [(2)] (3) An emergency election may be held on a date other than those provided in subsection
 20 (1) **or (2)** of this section[,] if the city governing body by resolution finds that an emergency exists
 21 that will require an election sooner than the next available election date to avoid extraordinary
 22 hardship to the community. A determination under this subsection as to whether an emergency ex-
 23 ists is within the sole discretion of the city governing body.

24 [(3)] (4) A city governing body, with adequate notice, shall hold a public hearing, on a date other
 25 than a regularly scheduled council meeting, for the purpose of making findings substantiating the
 26 fact that an emergency exists before scheduling an election on a date other than those specified in
 27 subsection (1) **or (2)** of this section.

28 [(4)] (5) Notice of a city's intent to hold an emergency election shall be filed with the county
 29 elections authority no later than 47 days preceding the desired election date. At the time the notice
 30 of election is given to the county elections authority, the city shall also file with the elections au-
 31 thority a certified copy of the ballot title and a copy of the resolution and findings adopted by the
 32 city governing body to authorize the emergency election as required under subsection [(3)] (4) of this
 33 section.

34 **SECTION 3.** ORS 255.185 is amended to read:

35 255.185. (1) In a district that holds regular district elections, if an initiative or referendum pe-
 36 tition contains the required number of verified signatures, the election on the district measure shall
 37 be held on [*a district election date specified by the district elections authority in the order calling the*
 38 *election*] **the third Tuesday in May, the first Tuesday after the first Monday in November or**
 39 **the date of the next scheduled regular district election.** The election date may not be sooner
 40 than the next available date [*in ORS 255.345*] **listed in this subsection** for which the filing deadline
 41 may be met and may not be later than the first regular district election following the 40th day after
 42 the date of the order **calling the election.**

43 (2) In a district that does not hold regular district elections, if an initiative or referendum pe-
 44 tition contains the required number of verified signatures, the election on the district measure shall
 45 be held [*on*] **at** the next available [*district election date in ORS 255.345*] **date listed in subsection**

1 (1) of this section for which the filing deadline may be met.

2 **SECTION 4. The amendments to ORS 203.085, 221.230 and 255.185 by sections 1 to 3 of this**
3 **2015 Act first apply to any measure for which a petition has been certified to contain the**
4 **required number of verified signatures on or after the effective date of this 2015 Act.**

5 **SECTION 5. This 2015 Act being necessary for the immediate preservation of the public**
6 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
7 **on its passage.**

8
