

# House Bill 2957

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 **as introduced**.

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, 254.095, 254.103  
3 and 255.185; and 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 the date of the next primary election or general election for which the filing**  
16 **deadline can be met.**

17 [(2)] **(3)** An emergency election may be held on a date other than those provided in subsection  
18 (1) **or (2)** of this section[,] if the county governing body by resolution finds that an emergency exists  
19 that will require an election sooner than the next available election date to avoid extraordinary  
20 hardship to the community. A determination under this subsection as to whether an emergency ex-  
21 ists is within the sole discretion of the county governing body.

22 [(3)] **(4)** A county governing body, with adequate notice, shall hold a public hearing, on a date  
23 other than a regularly scheduled meeting, for the purpose of making findings substantiating the fact  
24 that an emergency exists before scheduling an election on a date other than those specified in sub-  
25 section (1) **or (2)** of this section.

26 [(4)] **(5)** Notice of a county's intent to hold an emergency election shall be filed with the county  
27 elections authority no later than 47 days preceding the desired election date. At the time the notice  
28 of election is given to the county elections authority, the county shall also file with the elections  
29 authority a certified copy of the ballot title and a copy of the resolution and findings adopted by the  
30 county governing body to authorize the emergency election as required under subsection [(3)] **(4)**

**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 of this section.

2 **SECTION 2.** ORS 254.103 is amended to read:

3 254.103. (1) Except as provided in subsection (2) of this section, the governing body of a county  
4 shall file with the county clerk each measure referred by the county governing body, including the  
5 ballot title for each measure, not later than the 61st day before the date of the election.

6 (2) If a measure to be submitted to the electors of a county at [an] a **general** election held on  
7 the first Tuesday after the first Monday in November was submitted on the election date in ORS  
8 203.085 [(1)] immediately preceding the first Tuesday after the first Monday in November, the county  
9 governing body shall file the measure with the county clerk not later than the 47th day before an  
10 election held on the first Tuesday after the first Monday in November.

11 **SECTION 3.** ORS 221.230 is amended to read:

12 221.230. (1) Except as provided in subsection [(2)] (3) of this section, no election on a city  
13 measure **referred by the city governing body** or for a city office shall be held on any date other  
14 than:

- 15 (a) The second Tuesday in March;
- 16 (b) The third Tuesday in May;
- 17 (c) The third Tuesday in September; or
- 18 (d) The first Tuesday after the first Monday in November.

19 **(2) Except as provided in subsection (3) of this section, no election on a city measure**  
20 **other than a city measure referred by the city governing body shall be held on any date other**  
21 **than the date of the next primary election or general election for which the filing deadline**  
22 **can be met.**

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

28 [(3)] (4) A city governing body, with adequate notice, shall hold a public hearing, on a date other  
29 than a regularly scheduled council meeting, for the purpose of making findings substantiating the  
30 fact that an emergency exists before scheduling an election on a date other than those specified in  
31 subsection (1) **or (2)** of this section.

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

38 **SECTION 4.** ORS 254.095 is amended to read:

39 254.095. (1) The chief elections officer of any city shall file with the county clerk of the county  
40 in which the city hall of the city is located, a statement of the city offices to be filled or for which  
41 candidates are to be nominated at the election and information concerning all candidates for the  
42 offices not later than the 61st day before the date of the election.

43 (2) Except as provided in subsection (3) of this section, the chief elections officer of any city  
44 shall file with the county clerk of the county in which the city hall is located, a statement of the  
45 city measures to be voted on, including the ballot title for each measure, not later than the 61st day

1 before the date of the election.

2 (3) If a measure to be submitted to the electors of a city at *[an]* a **general** election held on the  
 3 first Tuesday after the first Monday in November was submitted on the election date in ORS 221.230  
 4 *[(1)]* immediately preceding the first Tuesday after the first Monday in November, the chief elections  
 5 officer of the city shall file the statement required for that measure in subsection (2) of this section  
 6 on the 47th day before an election held on the first Tuesday after the first Monday in November.

7 (4) The chief elections officer of the city shall keep a copy of each statement filed under this  
 8 section.

9 (5) If a city is located in more than one county, the county clerk under subsection (1) of this  
 10 section shall immediately file the statement and information required under subsection (1) of this  
 11 section with the county clerk of any other county in which the city is located.

12 **SECTION 5.** ORS 255.185 is amended to read:

13 255.185. (1) In a district that holds regular district elections, if an initiative or referendum pe-  
 14 tition contains the required number of verified signatures, the election on the district measure shall  
 15 be held **at** *[on a district election date specified by the district elections authority in the order calling*  
 16 *the election. The election date may not be sooner than]* the next available **primary election, general**  
 17 **election or regular district election** *[date in ORS 255.345]* for which the filing deadline may be  
 18 met and may not be later than the first regular district election following the 40th day after the date  
 19 of the order.

20 (2) In a district that does not hold regular district elections, if an initiative or referendum pe-  
 21 tition contains the required number of verified signatures, the election on the district measure shall  
 22 be held *[on]* **at** the next available *[district election date in ORS 255.345]* **primary or general election**  
 23 for which the filing deadline may be met.

24 **SECTION 6. The amendments to ORS 203.085, 221.230, 254.095, 254.103 and 255.185 by**  
 25 **sections 1 to 5 of this 2015 Act first apply to any measure for which a petition has been**  
 26 **certified to contain the required number of verified signatures on or after the effective date**  
 27 **of this 2015 Act.**

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

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