

Senate Bill 656

Sponsored by Senator BOQUIST (at the request of Richard P. Burke)

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 political parties to file organizational documents with Secretary of State setting forth organizational procedures.

Permits Secretary of State to refuse to recognize amendments to organizational documents or new officer or managing committee lists if it is demonstrated that these were not created in accordance with filed organizational procedures.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to organizational documents of political parties; creating new provisions; amending ORS
3 248.007 and 248.009; and declaring an emergency.

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

5 **SECTION 1.** ORS 248.007 is amended to read:

6 248.007. (1)(a) Subject to ORS 248.005, a major political party may organize and select delegates
7 to national party conventions in any manner.

8 **(b) In each even-numbered year, a major political party shall file with the Secretary of**
9 **State a copy of its current organizational documents setting forth the manner in which the**
10 **officers and managing committees of the major political party are selected, the procedure for**
11 **the major political party to amend its organizational documents and any other procedures**
12 **that the major political party follows to conduct its affairs.**

13 **(c) The Secretary of State may refuse to recognize amendments to the organizational**
14 **documents or new officer or managing committee lists if it is demonstrated to the Secretary**
15 **of State that these materials were not created in accordance with the procedures set forth**
16 **in the organizational documents of the major political party.**

17 (2) The provisions of ORS 248.012 to 248.315 do not apply to a major political party if the party
18 has notified the Secretary of State as provided in subsection (5) of this section that the party does
19 not intend to be subject to the provisions of ORS 248.012 to 248.315. References to precinct com-
20 mitteepersons in any provisions of ORS chapters 246 to 260 do not apply to a party described in this
21 subsection.

22 (3) ORS 248.012 to 248.315 apply only to a major political party that has notified the Secretary
23 of State as provided in subsection (5) of this section that the political party intends to be subject
24 to the provisions of ORS 248.012 to 248.315. References to precinct committeepersons in any pro-
25 visions of ORS chapters 246 to 260 shall apply to a party described in this subsection. If a major
26 political party fails to notify the Secretary of State under this subsection, the party shall be con-
27 sidered subject to the provisions of ORS 248.012 to 248.315.

28 (4) A major political party shall notify the Secretary of State as provided in subsection (5) of this
29 section if the party does not intend to be subject to the provisions of ORS 248.012 to 248.315 except

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 that the party intends to elect precinct committeepersons. If a party notifies the Secretary of State
2 under this subsection, the party shall elect precinct committeepersons only as provided in ORS
3 248.015 and shall elect precinct committeepersons in the same manner in all precincts in this state.

4 (5) Not later than the 274th day before the date of the primary election, a major political party
5 shall notify the Secretary of State in writing whether or not the party intends to be subject to the
6 provisions of ORS 248.012 to 248.315 or whether the party intends to elect precinct committeeper-
7 sons under subsection (4) of this section **and in accordance with the organizational documents**
8 **filed with the Secretary of State under subsection (1) of this section.** *[If the major political*
9 *party does not intend to be subject to the provisions of ORS 248.012 to 248.315 or intends to elect*
10 *precinct committeepersons under subsection (4) of this section, the party shall file with the Secretary*
11 *of State, at the same time notice is given under this subsection, a copy of its organizational documents*
12 *setting forth the manner in which its officers and managing committees are selected or any other*
13 *manner in which it conducts its affairs.]*

14 (6) In each even-numbered year, a major political party shall file with the Secretary of State a
15 statement indicating *[that]* **whether** the party is operating subject to ORS 248.012 to 248.315 or **if**
16 **it intends to operate in accordance with the organizational documents filed with the Secre-**
17 **tary of State under subsection (1) of this section** *[a copy of current organizational documents*
18 *setting forth the manner in which its officers and managing committees are selected or any other*
19 *manner in which it conducts its affairs]*. Material described in this subsection shall be filed on the
20 274th day before the third Tuesday in May of each odd-numbered year.

21 (7) A major political party subject to the provisions of this section shall nominate candidates
22 of the major political party, for other than political party office, at the primary election.

23 **SECTION 2.** ORS 248.009 is amended to read:

24 248.009. (1)(a) A minor political party shall file with the filing officer a copy of its organizational
25 documents establishing its process for nominating candidates for public office, **the manner in**
26 **which the officers and managing committees of the minor political party are selected and the**
27 **procedure for the minor political party to amend its organizational documents.**

28 (b) The organizational documents shall be filed not later than 30 days after they are adopted.
29 The nominating process for candidates for election at the general election shall provide an equal
30 opportunity to all registered members of the party within the electoral district to participate in the
31 process of making nominations or selecting the delegates who will make the nominations. A minor
32 political party shall file copies of any changes to its organizational documents relating to nomi-
33 nation of candidates for public office not later than 30 days after the date any changes were made.
34 The minor political party shall nominate candidates for public office only in accordance with the
35 procedures set forth in its organizational documents.

36 (c) **The Secretary of State may refuse to recognize nominated candidates, amendments**
37 **to the organizational documents or new officer or managing committee lists if it is demon-**
38 **strated to the Secretary of State that the minor political party did not follow the procedures**
39 **set out in its organizational documents.**

40 (2) A minor political party shall file with the filing officer a list of any officers selected by the
41 party. The list shall be filed not later than 10 days after any selection is made. A minor political
42 party shall file copies of any changes to the list of officers not later than 10 days after the date any
43 changes were made.

44 (3) Not later than the 10th day before any nominating convention of a minor political party,
45 notice shall be published at least once in not fewer than three newspapers of general circulation

1 within the electoral district for which the nomination will be made. If there are fewer than three
2 newspapers of general circulation within the electoral district, notice shall be published at least
3 once in one newspaper of general circulation within the electoral district for which the nomination
4 will be made and other public notice shall be given that is reasonably calculated to assure that
5 party members in the electoral district receive notice of the convention. The notice shall contain
6 the time and place of the convention, and the office or offices for which nominations will be made.

7 **SECTION 3. The amendments to ORS 248.007 and 248.009 by sections 1 and 2 of this 2015**
8 **Act become operative on January 1, 2016.**

9 **SECTION 4. The Secretary of State and any major political party or minor political party**
10 **may take any action before the operative date specified in section 3 of this 2015 Act that is**
11 **necessary for the secretary, major political party or minor political party to exercise, on and**
12 **after the operative date specified in section 3 of this 2015 Act, all of the duties, functions and**
13 **powers conferred on the secretary, major political parties and minor political parties by the**
14 **amendments to ORS 248.007 and 248.009 by sections 1 and 2 of this 2015 Act.**

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

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