

D R A F T

SUMMARY

Requires Secretary of State to permit authorized persons to watch signature verification of initiative or referendum petition relating to state measure. Allows authorized individual to file written complaint with secretary alleging that signature verification process fails to comply with applicable statute, rules or written guidance. Requires secretary to accept, review and provide response to complaint within one business day. Permits individual to appeal response from secretary to Attorney General. Requires Attorney General to make final determination within five business days of receiving appeal.

A BILL FOR AN ACT

1
2 Relating to signature verification process for state measures.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part**
5 **of ORS chapter 250.**

6 **SECTION 2. (1) The Secretary of State, if requested, shall permit**
7 **authorized persons to watch the signature verification of an initiative**
8 **or referendum petition relating to a state measure. The authorization**
9 **shall be in writing, shall be signed by the chief petitioner of the peti-**
10 **tion or by an officer or its county affiliate of a political party and shall**
11 **be filed with the secretary. The secretary shall permit only so many**
12 **persons as watchers under this section as will not interfere with an**
13 **orderly signature verification process.**

14 **(2)(a) An individual permitted under subsection (1) of this section**
15 **to watch the signature verification process may file a written com-**
16 **plaint with the secretary alleging that the signature verification pro-**

1 cess fails to comply with applicable statute, rules or other written
2 guidance issued by the secretary.

3 (b) The secretary shall within one business day accept, review and
4 provide a response to a complaint filed under paragraph (a) of this
5 subsection. The response shall contain a determination regarding
6 whether any statutes, rules or other written guidance were improperly
7 applied. If a statute, rule or other written guidance was improperly
8 applied, the secretary shall revise the results of the signature verifi-
9 cation in accordance with the determination made under this para-
10 graph.

11 (c) If an individual who filed a complaint under paragraph (a) of
12 this subsection disagrees with the determination provided by the sec-
13 retary under paragraph (b) of this subsection, the individual who filed
14 the complaint may appeal the determination of the secretary to the
15 Attorney General. An appeal under this paragraph must be filed within
16 one business day of receiving the determination. The Attorney General
17 shall accept, review and provide a response to the appeal as soon as
18 practicable, but in any case not later than the fifth business day after
19 the appeal is filed. The response shall include a determination re-
20 garding whether any statutes, rules or other written guidance were
21 improperly applied. If a statute, rule or other written guidance was
22 improperly applied, the Attorney General shall order that the results
23 of the signature verification be revised in accordance with the deter-
24 mination made under this paragraph. A determination made by the
25 Attorney General under this paragraph is final.

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