

## **SB 825 STAFF MEASURE SUMMARY**

### **Senate Committee On Rules**

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**Meeting Dates:** 6/21

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#### **WHAT THE MEASURE DOES:**

Enacts Oregon's participation in the Interstate Compact to elect the President of the United States by national popular vote. Refers measure to people for approval or rejection at statewide special election held on same date as next primary election.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

No amendment.

##### **BACKGROUND:**

The existing mechanism for selecting a president is through the Electoral College. Each state is allocated a number of electoral votes according to the size of its Congressional delegation: two votes for each U.S. Senator and one vote for each member of the U.S. House of Representatives. The candidate who receives the most votes statewide, receives all the state's electoral votes. Most presidential elections have resulted in the eventual Electoral College winner also winning the popular vote - but not always. The idea of electing United States presidents by national popular vote gained momentum following the presidential elections in 2000 and 2016 in which the losing candidate won the popular vote, but lost the Electoral College, and the winning candidate won the Electoral College but lost the popular vote.

Several ideas have been considered to prevent this situation from occurring in the future, including: abolishing the Electoral College, which requires a federal constitutional amendment supported by three-quarters of the states; distributing Electoral College electors proportionally within a state by allocating them through a combination of congressional district and statewide elector selections; and establishing an interstate compact to allow member states to dedicate electoral votes to the candidate with the greatest "national popular vote total."

Currently, 11 jurisdictions have enacted legislation to join the National Popular Vote Interstate Compact (Compact): Maryland, New Jersey, Illinois, Hawaii, Washington, Massachusetts, District of Columbia, Vermont, Rhode Island, New York and California. These 11 jurisdictions total 165 electoral votes or 61 percent of the 270 electoral votes needed to be elected to the presidency. By its terms, the Compact takes effect when enacted by states cumulatively possessing a majority of all electoral votes.

Senate Bill 825 enacts the Compact to enable Oregon's participation. If enough states participate in the future to cause the Compact to take effect, the chief election official of each participating state would: separately determine number of votes for each presidential slate and add those votes to all other states, including the District of Columbia, to provide "a national popular vote total" for each slate of presidential candidates and designate the presidential slate with the largest national popular vote total as the "national popular vote winner." Participating states are permitted to withdraw from the Compact. In addition, Senate Bill 825 refers the measure to the ballot for a vote of the people for their approval or rejection at a statewide special election held on the same date as the next primary election.