

A-Engrossed
House Bill 2696

Ordered by the House April 25
Including House Amendments dated April 25

Sponsored by Representative MCKEOWN (Presession filed.)

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.

Permits [*candidates for office in special district and ballot measures for special district*] **community college district measures relating to bonding** to be included in state voters' pamphlet if certain conditions are met. Establishes procedures for inclusion in pamphlet.

A BILL FOR AN ACT

1
2 Relating to the voters' pamphlet; amending ORS 251.067, 251.185 and 251.285.

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

4 **SECTION 1.** ORS 251.067 is amended to read:

5 251.067. (1) A candidate or agent on behalf of the candidate for nomination or election to any
6 county or city office, or to an elected office of a metropolitan service district organized under ORS
7 chapter 268, may file a portrait or statement for inclusion in the state voters' pamphlet under ORS
8 251.065 if a county voters' pamphlet described in ORS 251.305 to 251.435 is not prepared for the
9 election in each county in which the electoral district of the candidate is located.

10 (2) **A community college district measure relating to bonding**, a county measure or a
11 measure of a metropolitan service district organized under ORS chapter 268, and the ballot title,
12 explanatory statement and arguments relating to the measure, shall be included in the state voters'
13 pamphlet as provided in ORS 251.285, if a county voters' pamphlet described in ORS 251.305 to
14 251.435 is not prepared:

15 (a) For the election on the county measure; or

16 (b) In each county in which the **community college district or** metropolitan service district is
17 located, for the election on the **community college district measure relating to bonding or**
18 metropolitan service district measure.

19 (3) If a county voters' pamphlet described in ORS 251.305 to 251.435 is prepared for an election
20 at which a candidate for nomination or election to any county or city office, or to an elected office
21 of a metropolitan service district organized under ORS chapter 268, is listed on the ballot, or at
22 which a **community college district measure relating to bonding**, a county measure or a meas-
23 ure of a metropolitan service district organized under ORS chapter 268 is listed on the ballot, the
24 county voters' pamphlet shall include the county or city office, the office of the metropolitan service
25 district or the **community college district measure relating to bonding**, county measure or
26 measure of the metropolitan service district. Such offices and measures shall not be included in any
27 state voters' pamphlet prepared for the election and distributed in the county for which the county
28 voters' pamphlet is prepared.

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 (4) If a city, [*or*] metropolitan service district organized under ORS chapter 268 **or community**
 2 **college district** is located in more than one county, and a county in which the city, [*or*] metropol-
 3 itan service district **or community college district** is located does not prepare a county voters'
 4 pamphlet described in ORS 251.305 to 251.435 for the election, candidates for nomination or election
 5 to any city office or an elected office of the metropolitan service district, and any **community**
 6 **college district measure relating to bonding or** measure of the metropolitan service district, shall
 7 be included in the state voters' pamphlet to be distributed to the county that does not prepare a
 8 county voters' pamphlet. The Secretary of State shall designate the candidates and measures that
 9 may be included in the state voters' pamphlet under this subsection.

10 (5) **As used in this section, "community college district" has the meaning given that term**
 11 **in ORS 341.005.**

12 **SECTION 2.** ORS 251.285 is amended to read:

13 251.285. (1) If [*any*] **a community college district measure relating to bonding, a** county
 14 measure or [*any*] **a** measure of a metropolitan service district organized under ORS chapter 268, and
 15 the ballot title, explanatory statement and arguments relating to the measure, are to be included
 16 by the Secretary of State in the state voters' pamphlet as provided in ORS 251.067, the requirements
 17 of this section shall be satisfied.

18 (2) [*The county or district measure,*] **A community college district measure relating to**
 19 **bonding, a county measure or a metropolitan service district measure, and the** ballot title,
 20 explanatory statement and arguments **relating to the measure,** shall not be printed in the voters'
 21 pamphlet unless:

22 (a) The ballot title is a concise and impartial statement of the purpose of the measure;

23 (b) The explanatory statement is an impartial, simple and understandable statement explaining
 24 the measure and its effect;

25 (c) The county, [*or*] metropolitan service district **or community college district** adopts and
 26 complies with an ordinance that provides a review procedure for a ballot title or explanatory
 27 statement [*which*] **that** is contested because it does not comply with the requirements of paragraph
 28 (a) or (b) of this subsection;

29 (d) The county, [*or*] metropolitan service district **or community college district** adopts and
 30 complies with an ordinance that provides for acceptance of typewritten arguments relating to the
 31 measure not to exceed 325 words to be printed in the voters' pamphlet; and

32 (e) The county, [*or*] metropolitan service district **or community college district** does not re-
 33 quire of a person filing an argument a payment of more than \$300, or a petition containing more
 34 than a number of signatures equal to 1,000 electors eligible to vote on the measure or 10 percent
 35 of the total of such electors, whichever is less.

36 (3) Any judicial review of a determination made under the review procedures adopted under
 37 subsection (2)(c) of this section shall be first and finally:

38 (a) **For a county measure,** in the circuit court of the judicial district in which the county is
 39 located; or[,]

40 (b) **For a community college district measure relating to bonding or a metropolitan ser-**
 41 **vice** district measure, in the circuit court of the judicial district in which the administrative office
 42 of the metropolitan service district **or community college district** is located.

43 (4) If the county, [*or*] metropolitan service district **or community college district** has adopted
 44 and complied with ordinances prescribed in subsection (2) of this section, the decision to include the
 45 [*county or district*] measure, ballot title, explanatory statement and arguments in the voters' pam-

1 phlet shall be made by:

2 (a) The county governing body with regard to *[any]* a county measure, *[or]* the council of the
3 metropolitan service district with regard to *[any]* a **metropolitan service district measure or the**
4 **district elections authority with regard to a community college district measure relating to**
5 **bonding.***[.]*

6 (b) The chief petitioners of the initiative or referendum with regard to a *[county or district]*
7 measure initiated or referred by the people. The chief petitioners shall indicate their decision in a
8 statement signed by all of the chief petitioners and *[filed with the county clerk or,]* **file the signed**
9 **statement:**

10 (A) For a county measure, with the county clerk;

11 (B) For a **metropolitan service** district measure, with the executive officer of the metropolitan
12 service district; or

13 (C) For a **community college district measure relating to bonding, with the district**
14 **elections authority.**

15 (c) A political committee, as defined in ORS 260.005, that opposes the *[county or district]* meas-
16 ure. The committee shall indicate its decision in a statement signed by every committee director,
17 as defined in ORS 260.005, and *[filed with the county clerk or,]* **file the signed statement:**

18 (A) For a county measure, with the county clerk;

19 (B) For a **metropolitan service** district measure, with the executive officer of the metropolitan
20 service district; or

21 (C) For a **community college district measure relating to bonding, with the district**
22 **elections authority.**

23 (5) The county, *[or]* metropolitan service district **or community college district** shall file the
24 measure, ballot title, explanatory statement and arguments with the Secretary of State not later
25 than the 70th day before the general election or the 68th day before a special election held on the
26 date of any primary election. The county, *[or]* **metropolitan service district or community college**
27 **district** shall pay to the Secretary of State the cost of including the *[county or district]* material
28 **described in this subsection** in the pamphlet as determined by the secretary. The Secretary of
29 State shall not *[have this material printed]* **print the material** in the pamphlet unless:

30 (a) The time for filing a petition for judicial review of a determination made under subsection
31 (2)(c) of this section has passed; and

32 (b) The measure, title, statement and arguments properly filed with the county, *[or]* metropolitan
33 service district **or community college district**, are delivered to the secretary.

34 (6) **As used in this section, “community college district” has the meaning given that term**
35 **in ORS 341.005.**

36 **SECTION 3.** ORS 251.185 is amended to read:

37 251.185. (1) The Secretary of State shall have printed in the voters’ pamphlet for a general
38 election or any special election a copy of the title and text of each state measure to be submitted
39 to the people at the election for which the pamphlet was prepared. The pamphlet must include the
40 procedures for filing a complaint under ORS 260.345. Each measure shall be printed in the pamphlet
41 with:

42 (a) The number and ballot title of the measure;

43 (b) The financial estimates and any statement prepared for the measure under ORS 250.125;

44 (c) The explanatory statement prepared for the measure;

45 (d) Arguments relating to the measure and filed with the Secretary of State;

1 (e) Any racial and ethnic impact statement prepared for the measure under section 3, chapter
2 600, Oregon Laws 2013; and

3 (f) Any statement submitted for the measure by a citizen panel under ORS 250.141.

4 (2) **A community college district measure relating to bonding**, a county measure or a
5 measure of a metropolitan service district organized under ORS chapter 268, and **the** ballot title,
6 explanatory statement and arguments relating to the measure, filed by the county, [or] metropolitan
7 service district **or community college district** under ORS 251.285 shall be included in the voters'
8 pamphlet described in subsection (1) of this section if required under ORS 251.067.

9 (3) **As used in this section, "community college district" has the meaning given that term**
10 **in ORS 341.005.**

11 **SECTION 4.** ORS 251.185, as amended by section 8, chapter 600, Oregon Laws 2013, and section
12 5, chapter 72, Oregon Laws 2014, is amended to read:

13 251.185. (1) The Secretary of State shall have printed in the voters' pamphlet for a general
14 election or any special election a copy of the title and text of each state measure to be submitted
15 to the people at the election for which the pamphlet was prepared. The pamphlet must include the
16 procedures for filing a complaint under ORS 260.345. Each measure shall be printed in the pamphlet
17 with:

18 (a) The number and ballot title of the measure;

19 (b) The financial estimates and any statement prepared for the measure under ORS 250.125;

20 (c) The explanatory statement prepared for the measure;

21 (d) Arguments relating to the measure and filed with the Secretary of State; and

22 (e) Any statement submitted for the measure by a citizen panel under ORS 250.141.

23 (2) **A community college district measure relating to bonding**, a county measure or a
24 measure of a metropolitan service district organized under ORS chapter 268, and **the** ballot title,
25 explanatory statement and arguments relating to the measure, filed by the county, [or] metropolitan
26 service district **or community college district** under ORS 251.285 shall be included in the voters'
27 pamphlet described in subsection (1) of this section if required under ORS 251.067.

28 (3) **As used in this section, "community college district" has the meaning given that term**
29 **in ORS 341.005.**

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