

House Bill 3422

Sponsored by COMMITTEE ON RULES (at the request of Representative Jennifer Williamson)

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 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 of ORS chapter 250.**

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

11 **(2)(a) An individual permitted under subsection (1) of this section to watch the signature**
12 **verification process may file a written complaint with the secretary alleging that the signa-**
13 **ture verification process fails to comply with applicable statute, rules or other written**
14 **guidance issued by the secretary.**

15 **(b) The secretary shall within one business day accept, review and provide a response to**
16 **a complaint filed under paragraph (a) of this subsection. The response shall contain a de-**
17 **termination regarding whether any statutes, rules or other written guidance were improv-**
18 **erly applied. If a statute, rule or other written guidance was improperly applied, the**
19 **secretary shall revise the results of the signature verification in accordance with the deter-**
20 **mination made under this paragraph.**

21 **(c) If an individual who filed a complaint under paragraph (a) of this subsection disagrees**
22 **with the determination provided by the secretary under paragraph (b) of this subsection, the**
23 **individual who filed the complaint may appeal the determination of the secretary to the At-**
24 **torney General. An appeal under this paragraph must be filed within one business day of**
25 **receiving the determination. The Attorney General shall accept, review and provide a re-**
26 **sponse to the appeal as soon as practicable, but in any case not later than the fifth business**
27 **day after the appeal is filed. The response shall include a determination regarding whether**
28 **any statutes, rules or other written guidance were improperly applied. If a statute, rule or**

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 **other written guidance was improperly applied, the Attorney General shall order that the**
2 **results of the signature verification be revised in accordance with the determination made**
3 **under this paragraph. A determination made by the Attorney General under this paragraph**
4 **is final.**

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