

Senate Bill 211

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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**.

Establishes procedures for electing precinct committeepersons.

Requires one committeeperson for every 500 electors, rather than one committeeperson by gender for every 500 electors, who are registered in precinct.

Provides that write-in candidate may be eligible for election to precinct committeeperson position if no other candidate for position exists.

Requires write-in candidate to signify acceptance of successful write-in candidacy before primary election, rather than after election.

Allows person selected to fill vacancy in office of precinct committeeperson to vote on election of county central committee officers on or after 61st day after selection.

A BILL FOR AN ACT

1
2 Relating to precinct committeepersons; creating new provisions; and amending ORS 248.015, 248.017,
3 248.023, 248.026 and 248.035.

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

5 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 248.**

6 **SECTION 2. (1) If the number of candidates in a precinct who qualify to serve as a pre-**
7 **inct committeeperson under ORS 248.015 and who submit a declaration of candidacy to serve**
8 **as a precinct committeeperson under ORS 249.031:**

9 (a) Exceeds the number of positions for precinct committeeperson in the precinct, the
10 county clerk shall place the names of those candidates on the ballot for that precinct at the
11 primary election.

12 (b) Is less than or equal to the number of positions for precinct committeeperson in the
13 precinct, the county clerk shall declare those positions closed not later than 10 days after
14 the deadline for filing a declaration of candidacy. Not later than 20 days after the date of the
15 primary election, the county clerk shall declare the qualified candidates who submitted
16 timely declarations of candidacy to be elected as precinct committeepersons.

17 (2) If the number of candidates for precinct committeeperson who qualify for the ballot
18 under subsection (1) of this section is less than the number of positions for precinct com-
19 mitteeperson in the precinct, write-in candidates shall be considered eligible for election to
20 the precinct committeeperson positions.

21 (3) Subject to ORS 248.015 (4), a person may participate as a write-in candidate for pre-
22 cinct committeeperson if the person submits, not later than eight days before the date of the
23 election, a form prescribed by the Secretary of State by rule to:

24 (a) Indicate the write-in candidate's acceptance to serve as precinct committeeperson, if
25 elected;

26 (b) Request that the county clerk count any write-in votes received by the write-in can-

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 **didate; and**

2 (c) **Certify that the write-in candidate is legally qualified to serve as a precinct com-**
3 **mitteeperson.**

4 (4) **Upon receipt of the form submitted under subsection (3) of this section, the county**
5 **clerk shall determine whether the write-in candidate meets the qualifications to serve as a**
6 **precinct committeeperson in the precinct. If the county clerk determines that the write-in**
7 **candidate meets the qualifications, the county clerk shall record the write-in votes received**
8 **by the write-in candidate.**

9 (5) **If no person qualifies as a candidate or write-in candidate under this section for a**
10 **position of precinct committeeperson, that position shall be vacant.**

11 **SECTION 3.** ORS 248.015 is amended to read:

12 248.015. (1) A precinct committeeperson shall be a representative of the major political party in
13 the precinct. At the primary election a major political party shall elect from its members a com-
14 mitteeperson [*of each sex*] for every 500 electors, or major fraction thereof, who are registered in the
15 precinct on January 31 of the year of the primary election. In any event the political party members
16 of a precinct shall be entitled to elect not less than [*one committeeperson of each sex*] **two com-**
17 **mitteepersons** in the precinct. [*No*] **A person [shall] may not** hold office as committeeperson in
18 more than one precinct.

19 (2) A member of a major political party may become a candidate for precinct committeeperson
20 of the precinct in which the person is registered, or of a precinct within the same county adjoining
21 that precinct, [*by filing*] **in the manner set forth in section 2 of this 2017 Act if the person files**
22 a declaration of candidacy described in ORS 249.031, except as provided in subsection (3) of this
23 section.

24 (3) ORS 249.031 (1)(i) [*shall*] **does** not apply to declarations of candidacy for candidates for pre-
25 cinct committeeperson.

26 (4) A member of the major political party who has been a member of that party for 180 days
27 before the primary election may be elected by write-in votes as precinct committeeperson of the
28 precinct in which the member is registered, or of a precinct within the same county adjoining that
29 precinct. **A member elected by write-in votes must meet all of the requirements under this**
30 **section and section 2 of this 2017 Act.**

31 (5) Unless a qualified person receives at least three votes, no person [*shall be*] **is** deemed to have
32 been elected as precinct committeeperson and the office of committeeperson shall be vacant.

33 (6) The term of office of a precinct committeeperson is from the [*24th*] **35th** day after the date
34 of the primary election until the [*24th*] **35th** day after the date of the next following primary
35 election.

36 (7) A precinct committeeperson [*shall not be*] **is not** considered a public officer.

37 **SECTION 4.** ORS 248.017 is amended to read:

38 248.017. Notwithstanding any provision of ORS 248.015, an otherwise qualified person who will
39 attain the age of 18 years after the deadline for filing a declaration of candidacy for the office of
40 precinct committeeperson and on or before the date of the primary election, and who is registered
41 as a member of the major political party not later than the date of the primary election, is eligible
42 to file a [*nominating petition*] **declaration of candidacy** for the office of precinct committeeperson[,
43 *to be listed on the ballot*] and to be elected to the office, including by write-in votes.

44 **SECTION 5.** ORS 248.023 is amended to read:

45 248.023. (1) Not later than the 20th day after a primary election, the county clerk shall mail a

1 certificate of election to each newly elected precinct committeeperson within the county. *[The clerk*
 2 *also shall mail an "Acceptance of Office" form to each person elected by write-in votes to the office of*
 3 *committeeperson. The form shall include a statement to be signed by the person elected that the person*
 4 *is qualified to hold the office.]*

5 *[(2) A person elected by write-in votes to the office of precinct committeeperson shall be certified for*
 6 *the office by filing with the county clerk, not later than the 27th day after the date of the primary*
 7 *election, a signed "Acceptance of Office" form.]*

8 *[(3)]* (2) Not later than the *[31st]* **37th** day after a primary election, the county clerk shall pre-
 9 pare, maintain and furnish to the chairpersons of the respective retiring county central committees
 10 within the county and the chairpersons of the state central committees, a list of the *[party]* precinct
 11 committeepersons elected and certified. **The list shall be published and maintained on the**
 12 **county's website.** At the same time the county clerk shall declare the other offices of **precinct**
 13 **committeeperson** vacant.

14 **SECTION 6.** ORS 248.026 is amended to read:

15 248.026. (1) The members of a county central committee may select a member of the major pol-
 16 itical party who is registered in the precinct in which the vacancy exists, or registered in a precinct
 17 within the same county adjoining that precinct, to fill a vacancy in the office of precinct com-
 18 mitteeperson.

19 (2) When a county central committee votes to select a person to fill a vacancy in the office of
 20 precinct committeeperson, the chairperson of the committee shall give written notice to the county
 21 clerk of the proposed selection. The selection shall take effect when the county clerk upon timely
 22 verification of eligibility, places the name of the person selected on the list of committeepersons.
 23 The county clerk shall then send written notice of the selection to the person and the county central
 24 committee.

25 (3) A person selected to fill a vacancy in the office of precinct committeeperson may be removed
 26 from office at the pleasure of the central committee, but, except as provided in subsection (4) of this
 27 section, otherwise shall hold the office for the unexpired term and shall have the powers, duties and
 28 privileges of an elected committeeperson.

29 (4) A person selected to fill a vacancy in the office of precinct committeeperson may not vote
 30 on the election of county central committee officers at the organizational meeting of the committee
 31 as provided in ORS 248.035 **for the first 60 days after the person is selected.** A person selected
 32 to fill a vacancy in the office of precinct committeeperson may vote to fill any vacancy in a com-
 33 mittee office after the organizational meeting.

34 **SECTION 7.** ORS 248.035 is amended to read:

35 248.035. (1) At the organizational meeting of a county central committee:

36 (a) The officers of the retiring county central committee shall make available to the committee
 37 the property, records and funds owned or controlled by the retiring committee.

38 (b) The committee next shall elect a chairperson, vice chairperson and other officers the com-
 39 mittee considers necessary. The persons elected to the offices need not be members of the county
 40 central committee. The committee shall determine the term of each office. Only a newly elected
 41 precinct committeeperson **or a precinct committeeperson who has been appointed or selected**
 42 **more than 60 days before the date of the organizational meeting** may vote on the election of
 43 committee officers.

44 (2) The elected chairperson, within 48 hours of the chairperson's election, shall send a list of the
 45 officers of the committee to the county clerk and to the state central committee.

1 (3) Only a newly elected precinct committeeperson or a person appointed or selected to fill a
2 vacancy in the office of committeeperson may vote to fill a vacancy in a committee office. Imme-
3 diately before a meeting of the county central committee at which there may be an election to fill
4 a vacancy in a committee office, the chairperson shall obtain from the county clerk a list of com-
5 mittee members. The list shall determine the eligibility of a committeeperson to vote to fill a va-
6 cancy in a committee office.

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