

# Enrolled Senate Bill 520

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CHAPTER .....

AN ACT

Relating to recall of district officers of irrigation districts; amending ORS 198.425 and 198.430.

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

**SECTION 1.** ORS 198.425 is amended to read:

198.425. ORS 249.865 to 249.877 apply to the recall of a district officer of:

(1) A district defined in ORS 255.012[.]; **or**

(2) **Except as provided in ORS 545.189, an irrigation district organized under ORS chapter 545.**

**SECTION 2.** ORS 198.430 is amended to read:

198.430. (1) Before circulating a petition for recall of a district officer of a district other than a district defined in ORS 255.012, the petitioner shall file the petition with the officer with whom a petition for nomination to such office should be filed. Except as provided in this subsection, if there is no such officer or if the officer is the district officer against whom the petition is being filed, the petition shall be filed with the county clerk of the county in which the administrative office of the district is located. In the case of an irrigation district organized under ORS chapter 545, if there is no such officer or if the officer is the district officer against whom the petition is being filed, the petition shall be filed with **the members of** the board of directors of the irrigation district **who are not subject to the recall petition.**

(2) The petition shall be signed by a number of persons who are qualified to vote in the district, that is equal to but not less than the lesser of:

(a) Fifteen percent of the persons who are qualified to vote in the district, or subdivision of the district from which the district officer was elected; or

(b) Fifteen percent of the total votes cast in the electoral district for all candidates for Governor at the most recent election at which a candidate for Governor was elected to a full term.

(3) The circulator of the signature sheet shall certify on each sheet that the circulator:

(a) Witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet; and

(b) Believes each individual stated the correct residence address of the individual and is an individual qualified to vote in the district.

(4) In those districts where a person qualified to vote must be an elector, the petition, before filing, shall be submitted to the county clerk who shall compare the signatures of the persons signing the petition with the signatures of electors on the register of electors and, on the face of each signature sheet, shall make a certificate of the number of signatures the county clerk believes to

be genuine. In other districts, the officer who receives the petition for filing, before filing the petition, shall verify the signatures and make a certificate of the number of signatures the officer believes to be genuine.

(5) The district shall pay the expense of verifying the signatures and of calling and conducting the election. The election shall be conducted in the district, or in the subdivision of the district from which the district officer was elected, in accordance with the law governing election of district officers.

(6) A person who is qualified to vote in a district under this section is a person who is qualified, under the law applicable to the district, to vote in an election at which members of the governing body of the district are elected.

(7) A recall petition is void unless the petition is filed not later than the 100th day after the date of the first signature on the petition. Not later than the 90th day after the date of the first signature, the petition shall be submitted for signature verification to the county clerk or other officer described in subsection (4) of this section who shall make the certificate of the number of genuine signatures not later than the 10th day after the date of submission. The petition must contain only original signatures. A recall petition shall not be accepted for signature verification if the petition contains less than 100 percent of the required number of signatures. A recall petition shall not be accepted for filing until 100 percent of the required number of signatures have been verified.

**Passed by Senate March 28, 2017**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House June 21, 2017**

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Tina Kotek, Speaker of House

**Received by Governor:**

.....M.,....., 2017

**Approved:**

.....M.,....., 2017

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M.,....., 2017

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Dennis Richardson, Secretary of State