

## **SB 1510 -9, -10 STAFF MEASURE SUMMARY**

### **Senate Committee On Rules**

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**Prepared By:** Josh Nasbe, Counsel

**Meeting Dates:** 2/6, 2/20, 2/22

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

Modifies laws relating to elections. Alters the deadline applicable to filing statements of contributions and expenditures, by requiring transactions that have not been reported by the 43rd day before an election to be reported 30 days after the date of the transaction or the date that is 35 days before the election, whichever occurs earlier. Requires a non-affiliated voter who applies to vote in a major political primary to complete and sign the application and submit it electronically, in person or by mail, in a manner determined by the Secretary of State by rule. Authorizes a candidate or the treasurer of a principal campaign committee to amend a statement of organization within one business day of filing, to include financial account information. Reiterates the obligation of the county clerk to prohibit inclusion of ineligible candidate on district election ballot. Modifies the time period within which a write-in candidate must accept a nomination or office, the time period within which the district elections authority must determine the results of an election and terminology relating to primary elections. Makes technical adjustments to provisions addressing timing, dollar amounts and nominating petitions involving local elections that occur in more than one county. Declares an emergency, effective on passage.

#### **ISSUES DISCUSSED:**

- Banks requiring filed statement of organization before opening campaign account
- Mailing of military and overseas ballot
- Reprinting ballots

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

-9 Caps at 2,000 the number of signatures that may be included on a prospective petition to initiate a state measure. Clarifies the obligation of the Secretary of State to include the final certified ballot title on official template of cover and signature sheets of initiative petition. Eliminates obligation of district elections officers to notify county clerk whether a candidate elected to district office is qualified to hold the office. Protects specified elector-related information from public disclosure, while expressly including other specified elector-related information in publicly available lists maintained by the Secretary of State and county clerks. Directs Secretary of State to maintain and update a list that identifies voters who have and have not cast their ballot during the election period and make the list available each business day during election period. Allows treasurer of petition committee or political committee to amend statement of organization to include financial information, five business days after statement is filed. Modifies statute applicable to filing officer's determination that candidate has died, withdrawn or is not qualified to hold office by exempting filing officer from obligation to reprint ballots, if determination made less than 61 days before election.

-10 Transfers obligation, from county clerk to Secretary of State, to provide major and minor political parties with list of electors. Retains existing timelines, obligation to provide without charge and liability protections.

#### **BACKGROUND:**

In many legislative sessions, an omnibus, election-related bill is brought forward by affected stakeholders, including the Association of County Clerks and the Secretary of State's Office. The purpose of these bills vary from resolving statutory contradictions and aligning statutory time periods to clarifying legislative intent and repealing outdated

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statutes. Senate Bill 1510 is the omnibus measure for 2018.

Under current law, the general rule is that campaign contributions and expenditures must be reported within 30 days. If a contribution or expenditure is not reported by the 43rd day before the election, a report is required no later than the 35th day before an election. For a narrow subset of contributions and expenditures (i.e. those made between 73 and 66 days before an election), this scheme provides more than 30 days to report the transaction. Senate Bill 1510 eliminates this practice, requiring the report to be made within 30 days of the transaction or before the 35th day before an election, whichever occurs first.

In certain circumstances, non-affiliated voters may apply to vote in a major party primary. Senate Bill 1510 expressly requires a voter who seeks to do so to complete and sign an application and directs the voter to submit the application electronically, in person or by mail, in accordance with rules adopted by the Secretary of State.

Current law requires a candidate or a treasurer of a political campaign committee who files a statement of organization to include certain financial account information in the filing. Senate Bill 1510 authorizes the candidate or treasurer to file a statement of organization without the required financial account information, provided that the statement is updated to include the information within one business day.

ORS 254.165 precludes a filing officer from including a candidate's name on the ballot, if the candidate has died, withdrawn or become disqualified or if the candidate will not qualify for the office in time. Senate Bill 1510 reiterates this obligation in the context of district elections.

Senate Bill 1510 extends the time period within which a write-in candidate must accept a nomination or office and extends the time period within which the elections authority must determine the results of a district election. The bill also eliminates the obligation of the Secretary of State to randomly determine the placement of names on the ballot when an election only includes one candidate. Finally, Senate Bill 1510 modifies the description of certain elections and makes additional textual changes intended to provide more clarity and consistency with other provisions of law.