

## SENATE AMENDMENTS TO SENATE BILL 1510

By COMMITTEE ON RULES

February 23

1 On page 1 of the printed bill, line 2, after “elections;” delete the rest of the line and line 3 and  
2 insert “creating new provisions; amending ORS 247.973, 249.037, 249.068, 249.072, 249.200, 250.045,  
3 250.052, 254.155, 254.165, 254.470, 254.548, 255.295, 260.005, 260.039, 260.042, 260.044, 260.057, 260.118  
4 and 260.215; and declaring an emergency.”.

5 On page 3, delete lines 41 through 45 and delete page 4.

6 On page 5, delete lines 1 through 17 and insert:

7 “**SECTION 3.** ORS 260.118 is amended to read:

8 “260.118. (1) The chief petitioners of an initiative, referendum or recall petition shall appoint a  
9 treasurer. The treasurer shall be an elector of this state. Contributions [*shall*] **must** be received and  
10 expenditures made by or through the treasurer.

11 “(2) The treasurer shall file a statement of organization of a petition committee with the ap-  
12 propriate filing officer. The treasurer shall file the statement not later than the third business day  
13 after a chief petitioner or the treasurer receives a contribution or makes an expenditure relating  
14 to the initiative, referendum or recall petition. The statement [*shall*] **must** include:

15 “(a) The name and address of the chief petitioners.

16 “(b) The name and address of the treasurer appointed under subsection (1) of this section.

17 “(c) A designation of the initiative, referendum or recall petition. The designation of the recall  
18 petition [*shall*] **must** include the name of the officer whose recall is demanded.

19 “[*d*] (3) **In addition to the information listed in subsection (2) of this section, the state-**  
20 **ment of organization must include, or be amended within five business days to include,** the  
21 name of the financial institution in which the petition account required under ORS 260.054 is es-  
22 tablished, the name of the account, the name of the account holder and the names of all individuals  
23 who have signature authority for the account. The Secretary of State may not disclose information  
24 received by the secretary under this [*paragraph*] **subsection** except as necessary for purposes of  
25 enforcing the provisions of ORS chapters 246 to 260.

26 “[*3*] (4) A treasurer may designate an elector of this state to be liable for any civil penalty  
27 imposed under ORS 260.232. The treasurer shall include the name and address of any elector desig-  
28 nated under this subsection in a statement of organization filed under this section.

29 “[*4*] (5) **Except as provided in subsection (3) of this section,** if there is a change in the in-  
30 formation submitted in a statement of organization under [*subsection (2)*] **subsections (2) and (3)**  
31 of this section, the treasurer shall file an amended statement of organization not later than the 10th  
32 day after the change in information.

33 “[*5*] (6) The treasurer of an initiative, referendum or recall petition committee shall use the  
34 electronic filing system adopted under ORS 260.057 to file with the Secretary of State statements  
35 of contributions received and expenditures made by the petition committee, as described in ORS

1 260.083.

2 “[6] (7) The treasurer of an initiative petition committee shall file a statement described in  
3 subsection [5] (6) of this section not later than seven calendar days after a contribution is received  
4 or an expenditure is made. This subsection applies to contributions received and expenditures made:

5 “(a) During the period beginning on the 42nd calendar day before the date that is four months  
6 before a general election and ending on the date that is four months before a general election; and

7 “(b) During the period beginning on the 42nd calendar day before the date of any primary  
8 election and ending on the date of the primary election and the period beginning on the 42nd cal-  
9 endar day before the date of any general election and ending on the date of the general election.

10 “[7] (8) The treasurer of a referendum petition committee or a recall petition committee shall  
11 file a statement described in subsection [5] (6) of this section not later than seven calendar days  
12 after a contribution is received or an expenditure is made. This subsection applies:

13 “(a) For a referendum petition committee, to contributions received and expenditures made  
14 during the period beginning on the date the treasurer is appointed under subsection (1) of this sec-  
15 tion and ending on the deadline for submitting signatures for verification; and

16 “(b) For a recall petition committee, to contributions received and expenditures made during the  
17 period beginning on the day on which the recall petition is filed under ORS 249.865 and ending on  
18 the deadline for submitting signatures for verification.

19 “[8] (9) Except as provided in subsection [9] (10) of this section, during a period not described  
20 in subsection [(6) or] (7) **or** (8) of this section, a treasurer of an initiative, referendum or recall pe-  
21 tition committee shall file a statement described in subsection [5] (6) of this section not later than  
22 30 calendar days after a contribution is received or an expenditure is made.

23 “[9] (10) If a treasurer of an initiative petition committee receives a contribution or makes an  
24 expenditure prior to the 42nd calendar day before the date that is four months before a general  
25 election, or the 42nd day before the date of the primary election or general election, and the treas-  
26 urer has not filed a statement of the contribution or expenditure under subsection [5] (6) of this  
27 section by the 43rd calendar day before the date that is four months before a general election, or  
28 the 43rd day before the date of the primary election or general election, the treasurer shall file a  
29 statement described in subsection [5] (6) of this section not later than the 35th calendar day before  
30 the date that is four months before a general election, or **not later than whichever of the fol-**  
31 **lowing dates occurs first:**

32 **“(a) The date required under subsection (9) of this section; or**

33 **“(b) The 35th day before the date of the primary election or general election.**

34 “[10] (11) For an initiative petition committee, the accounting period for the first statement  
35 filed under this section begins on the date the treasurer is appointed under subsection (1) of this  
36 section.

37 “[11] (12) Each statement required under this section [*shall*] **must** be signed and certified as  
38 true by the treasurer. Signatures [*shall*] **must** be supplied in the manner specified by the secretary  
39 by rule.

40 “[12] (13) Subsections [5 to 11] (6) to (12) of this section do not apply to petition committees  
41 that file certificates under ORS 260.112.

42 “[13] (14) As used in this section, ‘contribution’ and ‘expenditure’ include a contribution or  
43 expenditure to or on behalf of an initiative, referendum or recall petition.”.

44 On page 6, line 4, after “mail” insert a comma.

45 On page 7, line 31, delete “one business day” and insert “five business days”.

1 On page 8, delete lines 15 through 23 and insert:

2 “**SECTION 6.** ORS 254.165 is amended to read:

3 “254.165. (1) If the filing officer determines that a candidate has died, withdrawn or become  
4 disqualified, or that the candidate will not qualify in time for the office if elected, the name of the  
5 candidate may not be printed on the ballots or, if [*they*] **ballots** have already been printed, [*shall*  
6 *be erased or canceled*] **the ballots must be reprinted without the name of the candidate** before  
7 the ballots are delivered to the electors. The name of a candidate nominated to fill a vacancy in  
8 nomination or office [*shall*] **must** be printed on the ballots or, if [*they*] **the ballots** have already been  
9 printed, the county clerk shall cause the name to appear on the ballots before the ballots are de-  
10 livered to the electors. A filing officer, other than the Secretary of State, shall notify the Secretary  
11 of State of any action taken under this section.

12 “(2) Subsection (1) of this section does not apply if the filing officer makes the determination  
13 under subsection (1) of this section on or after the [*47th*] **61st** day before the date of the election.

14 “(3) As used in this section:

15 “(a) ‘District’ means a district defined in ORS 255.012.

16 “(b) ‘Filing officer’ means the:

17 “(A) Secretary of State, regarding a candidate for a state office or an office to be voted on in  
18 the state at large or in a congressional district.

19 “(B) County clerk, regarding a candidate for a county office.

20 “(C) County clerk of the county in which the administrative office of the district is located, re-  
21 garding a candidate for a district office to be voted on in a district located in more than one county.

22 “(D) County clerk, regarding a candidate for a district office to be voted on in a district situated  
23 wholly within the county.

24 “(E) City clerk, auditor or recorder, regarding a candidate for a city office.”.

25 On page 9, delete lines 33 and 34.

26 On page 15, after line 6, insert:

27 “**SECTION 15.** ORS 260.042 is amended to read:

28 “260.042. (1) The treasurer of a political committee shall file a statement of organization with  
29 the filing officer. The statement [*shall*] **must** include:

30 “(a) The name, address and nature of the committee. The address [*shall*] **must** be the address  
31 of a residence, office, headquarters or similar location where the political committee or a responsi-  
32 ble officer of the political committee may be conveniently located.

33 “(b) The name, address and occupation of the committee director or directors.

34 “(c) The name and address of the committee treasurer.

35 “(d) The name and address of any other political committee of which two or more committee  
36 directors are also directors of the committee filing the statement.

37 “(e) The name, office sought, and party affiliation of each candidate whom the committee is  
38 supporting or specifically opposing or intends to support or specifically oppose, when known, or, if  
39 the committee is supporting or specifically opposing all the candidates of a given party, the name  
40 of that party.

41 “(f) A designation of any measure that the committee is opposing or supporting, or intends to  
42 support or oppose.

43 “(g) **A statement of whether the committee is a controlled committee.**

44 “[*g*] (2) **In addition to the information listed in subsection (1) of this section, the state-**  
45 **ment of organization must include, or be amended within five business days to include, the**

1 name of the financial institution in which the campaign account required under ORS 260.054 is es-  
2 tablished, the name of the account, the name of the account holder and the names of all individuals  
3 who have signature authority for the account. The Secretary of State may not disclose information  
4 received by the secretary under this [paragraph] **subsection** except as necessary for purposes of  
5 enforcing the provisions of ORS chapters 246 to 260.

6 “[*h*] A statement of whether the committee is a controlled committee.]

7 “[*2*] (3) A treasurer may designate an individual to receive any notice provided by a filing of-  
8 ficer under ORS chapters 246 to 260. The treasurer shall include the name and address of the indi-  
9 vidual in a statement of organization filed under this section. A filing officer who provides any  
10 notice under ORS chapters 246 to 260 to the treasurer of the political committee shall also provide  
11 the notice to the individual designated by the treasurer under this subsection.

12 “[*3*] (4) A treasurer may designate an elector of this state to be liable for any civil penalty  
13 imposed under ORS 260.232. The treasurer shall include the name and address of any elector desig-  
14 nated under this subsection in a statement of organization filed under this section.

15 “[*4*] (5) The statement of organization [*shall*] **must** be filed not later than the date specified  
16 in ORS 260.035.

17 “[*5*] (6) **Except as provided in subsection (2) of this section**, any change in information  
18 submitted in a statement of organization under [*subsection (1)*] **subsections (1) and (2)** of this sec-  
19 tion [*shall*] **must** be indicated in an amended statement of organization filed not later than the 10th  
20 day after the change in information.

21 “[*6*] (7) This section does not apply to a political committee that is a principal campaign  
22 committee or to a political committee exclusively supporting or opposing one or more candidates for  
23 federal or political party office.

24 “**SECTION 16.** ORS 260.215 is amended to read:

25 “260.215. (1) For statements filed during each calendar year, each filing officer shall examine  
26 each statement filed with the filing officer under ORS 260.044, 260.057, 260.083, 260.112 or 260.118  
27 [*5*] (6) to determine whether the statement is sufficient. The filing officer shall examine statements  
28 under this section not later than 90 days after the end of each calendar quarter for statements filed  
29 during the previous calendar quarter.

30 “(2) The filing officer may require any person to answer in writing and upon oath or affirmation  
31 before a judge, justice of the peace, county clerk or notary public any question within the knowledge  
32 of that person concerning the source of any contribution. The filing officer shall advise the person  
33 of the penalty for failure to answer.

34 “**SECTION 17.** ORS 250.045 is amended to read:

35 “250.045. (1)(a) Before circulating a petition to initiate or refer a state measure under [*section*  
36 *1,*] Article IV, **section 1, of the Oregon Constitution**, the petitioner shall file with the Secretary of  
37 State a prospective petition.

38 “(b) The prospective petition for a state measure to be initiated:

39 “(A) Shall contain the signatures of at least 1,000 electors[.]; and

40 “(B) **May not contain the signatures of more than 2,000 electors.**

41 “(c) The signature sheets **for a state measure to be initiated** must be attached to a full and  
42 correct copy of the measure to be initiated.

43 “(2) Before obtaining signatures on a prospective petition for a state measure to be initiated, the  
44 chief petitioners shall file with the secretary a statement declaring whether one or more persons  
45 will be paid money or other valuable consideration for obtaining signatures of electors on the pro-

1 spectively petition. After a statement has been filed under this subsection, the chief petitioners shall  
2 notify the secretary not later than the 10th day after any of the chief petitioners first has knowledge  
3 or should have had knowledge that:

4 “(a) Any person is being paid for obtaining signatures, when the statement filed under this  
5 subsection declared that no such person would be paid.

6 “(b) No person is being paid for obtaining signatures, when the statement filed under this sub-  
7 section declared that one or more such persons would be paid.

8 “(3) The secretary by rule shall establish procedures for verifying whether a prospective petition  
9 for a state measure to be initiated contains the required number of signatures of electors.

10 “(4) The secretary shall date and time stamp the prospective petition and specify the form on  
11 which the initiative or referendum petition shall be printed for circulation as provided in ORS  
12 250.052. The secretary shall retain the prospective petition.

13 “(5) The chief petitioner may amend the state measure to be initiated that has been filed with  
14 the secretary without filing another prospective petition, if:

15 “(a) The Attorney General certifies to the secretary that the proposed amendment will not sub-  
16 stantially change the substance of the measure; and

17 “(b) The deadline for submitting written comments on the draft title has not passed.

18 “(6)(a) The cover of an initiative or referendum petition shall designate the name and residence  
19 address of not more than three persons as chief petitioners and shall contain instructions for per-  
20 sons obtaining signatures of electors on the petition. The instructions shall be adopted by the sec-  
21 retary by rule.

22 “(b) The cover of a referendum petition shall contain the final measure summary described in  
23 ORS 250.065 (1).

24 “(c)(A) If a petition seeking a different ballot title is not filed with the Supreme Court by the  
25 deadline for filing a petition under ORS 250.085, the cover of an initiative petition shall contain the  
26 latest ballot title certified by the Attorney General under ORS 250.067 (2).

27 “(B) **If a petition seeking a different ballot title is filed with the Supreme Court by the**  
28 **deadline for filing a petition under ORS 250.085:**

29 “(i) **The secretary may not issue an official template of the cover and signature sheets**  
30 **of the initiative petition until the Supreme Court has certified a final ballot title; and**

31 “(ii) *[However, if the Supreme Court has reviewed the ballot title,]* The cover of the initiative  
32 petition shall contain the **final ballot** title certified by the court.

33 “(7) The chief petitioners shall include with the prospective petition a statement declaring  
34 whether one or more persons will be paid money or other valuable consideration for obtaining sig-  
35 natures of electors on the initiative or referendum petition. After the prospective petition is filed,  
36 the chief petitioners shall notify the filing officer not later than the 10th day after any of the chief  
37 petitioners first has knowledge or should have had knowledge that:

38 “(a) Any person is being paid for obtaining signatures, when the statement included with the  
39 prospective petition declared that no such person would be paid.

40 “(b) No person is being paid for obtaining signatures, when the statement included with the  
41 prospective petition declared that one or more such persons would be paid.

42 “(8)(a) Each sheet of signatures on an initiative petition shall contain the caption of the **final**  
43 **certified** ballot title. Each sheet of signatures on a referendum petition shall contain the subject  
44 expressed in the title of the Act to be referred.

45 “(b) Each sheet of signatures on an initiative or referendum petition shall:

1 “(A) Contain a notice describing the meaning of the color of the signature sheet in accordance  
2 with ORS 250.052; and

3 “(B) If one or more persons will be paid for obtaining signatures of electors on the petition,  
4 contain a notice stating: ‘Some Circulators For This Petition Are Being Paid.’ The notice shall be  
5 in boldfaced type and shall be prominently displayed on the sheet.

6 “(c) The secretary by rule shall adopt a method of designation to distinguish signature sheets  
7 of referendum petitions containing the same subject reference and being circulated during the same  
8 period.

9 “(9) The reverse side of the cover of an initiative or referendum petition shall be used for ob-  
10 taining signatures on the initiative or referendum petition.

11 “(10) Not more than 20 signatures on the signature sheet of the initiative or referendum petition  
12 may be counted. The circulator shall certify on each signature sheet of the initiative or referendum  
13 petition that the circulator:

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

16 “(b) Believes each individual is an elector.

17 “(11) The person obtaining signatures on the petition shall carry at least one full and correct  
18 copy of the measure to be initiated or referred and shall allow any person to review a copy upon  
19 request of the person.

20 “**SECTION 18.** ORS 250.052 is amended to read:

21 “250.052. (1)(a) For each state initiative, referendum or recall petition, the Secretary of State  
22 shall prepare official templates of the cover and signature sheets for the petition. Except as pro-  
23 vided in this section, templates of cover and signature sheets for state initiative and referendum  
24 petitions are subject to the requirements of ORS 250.045. The templates of signature sheets to be  
25 used by persons who are being paid to obtain signatures on the petition shall be a different color  
26 from the sheets to be used by persons who are not being paid to obtain signatures on the petition.

27 “(b) For each prospective petition for a state measure to be initiated the secretary shall prepare  
28 official templates of the cover and signature sheets. The templates of signature sheets to be used  
29 by persons who are being paid to obtain signatures on the prospective petition shall be a different  
30 color from the sheets to be used by persons who are not being paid to obtain signatures on the  
31 prospective petition. Each signature sheet for the prospective petition shall:

32 “(A) Contain a notice describing the meaning of the color of the signature sheet; and

33 “(B) If one or more persons will be paid for obtaining signatures of electors on the prospective  
34 petition, contain a notice stating: ‘Some Circulators For This Prospective Petition Are Being Paid.’  
35 The notice shall be in boldfaced type and shall be prominently displayed on the sheet.

36 “(2) A person obtaining signatures on a state initiative, referendum or recall petition or a pro-  
37 spective petition for a state measure to be initiated may use only the cover and signature sheets  
38 contained in the official templates prepared for the petition or prospective petition. A person who  
39 is being paid to obtain signatures on the petition or prospective petition shall use the signature  
40 sheet template designated for use by persons being paid to obtain signatures. A person who is not  
41 being paid to obtain signatures on the petition or prospective petition shall use the signature sheet  
42 template designated for use by persons who are not being paid to obtain signatures.

43 “(3)(a) The secretary shall issue templates for a petition or prospective petition only to a chief  
44 petitioner of the petition or prospective petition or to an agent designated by a chief petitioner.

45 “(b) **If the ballot title for a state initiative petition has been challenged under ORS**

1 **250.085, the secretary may not issue an official template for the initiative petition until the**  
2 **Supreme Court has certified a final ballot title.**

3 “(4) The secretary shall issue official templates to a chief petitioner or designated agent not  
4 later than:

5 “(a) Three business days after the deadline for filing a petition under ORS 250.085 relating to  
6 a ballot title certified by the Attorney General for the state initiative petition or, if a petition is  
7 filed with the Supreme Court under ORS 250.085, three business days after the Supreme Court cer-  
8 tifies to the secretary a **final** ballot title for the state initiative petition;

9 “(b) Three business days after a prospective petition is filed under ORS 249.865 or 250.045 for  
10 a state recall petition or state referendum petition; or

11 “(c) Three business days after the chief petitioner files a statement with the secretary under  
12 ORS 250.045 (2) for a prospective petition for a state measure to be initiated.

13 “(5) The secretary by rule shall establish a process by which a chief petitioner of a state initi-  
14 ative, referendum or recall petition or a prospective petition for a state measure to be initiated may  
15 request a modification of the templates issued under subsection (4) of this section.

16 “(6) In addition to the templates prepared under subsections (1) to (5) of this section, for each  
17 state initiative, referendum or recall petition or prospective petition, the secretary shall prepare an  
18 official electronic template of a signature sheet for the petition or prospective petition. A template  
19 prepared under this subsection shall allow space for the signature of one elector. An elector may  
20 print a copy of the electronic signature sheet for a petition or prospective petition, sign the sheet  
21 and deliver the signed sheet to a chief petitioner or an agent designated by a chief petitioner.  
22 Electronic templates described in this subsection are subject to the requirements of ORS 250.045,  
23 other than ORS 250.045 (6), (9) and (10).

24 “(7) The secretary shall adopt rules prescribing the contents and method of production of official  
25 templates required under this section.

26 “**SECTION 19. The amendments to ORS 250.045 and 250.052 by sections 17 and 18 of this**  
27 **2018 Act apply to initiative, referendum or recall petitions or prospective petitions that are**  
28 **filed with the Secretary of State on or after the effective date of this 2018 Act.**

29 “**SECTION 20. Section 21 of this 2018 Act is added to and made a part of ORS chapter 247.**

30 “**SECTION 21. (1)(a) Except as set forth in ORS 247.965 or 247.967, or as otherwise pro-**  
31 **hibited by law, the following information about an elector contained within an elector’s reg-**  
32 **istration file is subject to inspection as a public record under ORS 192.311 to 192.478 and shall**  
33 **be included in lists delivered under ORS 247.940 and 247.945:**

34 “(A) The major political party or minor political party, if any, with which an elector is  
35 affiliated;

36 “(B) The residence address of an elector;

37 “(C) The address where an elector receives a ballot;

38 “(D) The year in which an elector was born;

39 “(E) The name or number of the precinct in which the elector resides;

40 “(F) The precinct split of an elector;

41 “(G) The administrative number for an elector that is used by the Secretary of State to  
42 determine which elections an elector may vote in;

43 “(H) The telephone number of an elector;

44 “(I) Whether or not an elector voted in previous elections; and

45 “(J) During an election period, the ballot status of an elector. In order to comply with

1 **this subparagraph, during the election period, the secretary shall maintain a list of the ballot**  
2 **status of electors. The secretary shall update the list, and make available an updated version**  
3 **of the list, on each business day of the election period.**

4 **“(b) As used in this subsection:**

5 **“(A) ‘Ballot status’ means whether or not an elector has cast a ballot in the election;**

6 **“(B) ‘Election period’ means the period of time beginning on the date that ballots for an**  
7 **election are first mailed to electors and ending on the date of the election; and**

8 **“(C) ‘Precinct split’ means the enhanced precinct name or number used to determine the**  
9 **specific ballot configuration that will be received by an elector who resides in a precinct that:**

10 **“(i) Has more than one election district subdivision; and**

11 **“(ii) Requires more than one ballot configuration for electors in the precinct.**

12 **“(2) Except as set forth in ORS 247.973 or as otherwise required by law, the following**  
13 **information about an elector contained within an elector’s registration file is not subject to**  
14 **inspection as a public record under ORS 192.311 to 192.478 and may not be disclosed by the**  
15 **Secretary of State or a county clerk:**

16 **“(a) The birth month of an elector;**

17 **“(b) The day of the month on which an elector was born;**

18 **“(c) The Social Security number of an elector;**

19 **“(d) The driver license number of an elector; and**

20 **“(e) The signature of an elector.**

21 **“(3) Nothing in this section is intended to limit or restrict the disclosure of information**  
22 **that is otherwise subject to inspection as a public record under ORS 192.311 to 192.478.**

23 **“SECTION 22. ORS 247.973 is amended to read:**

24 **“247.973. (1) Subject to subsection (2) of this section, an individual’s signature submitted under**  
25 **this chapter for purposes of registering to vote is subject to inspection as a public record under ORS**  
26 **192.311 to 192.478. The signature may be inspected in the Office of the Secretary of State or the**  
27 **office of the county clerk.**

28 **“(2) A person may not make a copy of or provide to another person a copy of an individual’s**  
29 **signature submitted under this chapter for purposes of registering to vote.**

30 **“(3) Subsection (2) of this section does not apply to copies made by any elections official acting**  
31 **in an official capacity for purposes of administering the provisions of ORS chapters 246 to 260 or**  
32 **any rules adopted thereunder.**

33 **“(4) Identifying information or documents submitted by an individual for purposes of registering**  
34 **to vote as required under the Help America Vote Act of 2002 (P.L. 107-252) are exempt from dis-**  
35 **closure under ORS 192.311 to 192.478.**

36 **“(5) Identifying information relating to a disability of an elector that is entered into official**  
37 **voter registration records by an elections official is exempt from disclosure under ORS 192.311 to**  
38 **192.478.”.**

39 **In line 7, delete “15” and insert “23”.**