

# D R A F T

## SUMMARY

Requires that only elector who has personally printed copy of electronic signature sheet for petition or prospective petition may sign signature sheet.

Prohibits future use of electronic signature sheets for particular petition or prospective petition if Secretary of State determines that one or more electors who have not personally printed electronic signature sheet have signed and submitted sheet to secretary.

## A BILL FOR AN ACT

1  
2 Relating to electronic signature sheets; creating new provisions; and  
3 amending ORS 250.052.

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

5 **SECTION 1.** ORS 250.052, as amended by section 18, chapter 70, Oregon  
6 Laws 2018, is amended to read:

7 250.052. (1)(a) For each state initiative, referendum or recall petition, the  
8 Secretary of State shall prepare official templates of the cover and signature  
9 sheets for the petition. Except as provided in this section, templates of cover  
10 and signature sheets for state initiative and referendum petitions are subject  
11 to the requirements of ORS 250.045. The templates of signature sheets to be  
12 used by persons who are being paid to obtain signatures on the petition shall  
13 be a different color from the sheets to be used by persons who are not being  
14 paid to obtain signatures on the petition.

15 (b) For each prospective petition for a state measure to be initiated the  
16 secretary shall prepare official templates of the cover and signature sheets.  
17 The templates of signature sheets to be used by persons who are being paid  
18 to obtain signatures on the prospective petition shall be a different color

1 from the sheets to be used by persons who are not being paid to obtain sig-  
2 natures on the prospective petition. Each signature sheet for the prospective  
3 petition shall:

4 (A) Contain a notice describing the meaning of the color of the signature  
5 sheet; and

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

10 (2) A person obtaining signatures on a state initiative, referendum or re-  
11 call petition or a prospective petition for a state measure to be initiated may  
12 use only the cover and signature sheets contained in the official templates  
13 prepared for the petition or prospective petition. A person who is being paid  
14 to obtain signatures on the petition or prospective petition shall use the  
15 signature sheet template designated for use by persons being paid to obtain  
16 signatures. A person who is not being paid to obtain signatures on the peti-  
17 tion or prospective petition shall use the signature sheet template designated  
18 for use by persons who are not being paid to obtain signatures.

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

22 (b) If the ballot title for a state initiative petition has been challenged  
23 under ORS 250.085, the secretary may not issue an official template for the  
24 initiative petition until the Supreme Court has certified a final ballot title.

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

27 (a) Three business days after the deadline for filing a petition under ORS  
28 250.085 relating to a ballot title certified by the Attorney General for the  
29 state initiative petition or, if a petition is filed with the Supreme Court un-  
30 der ORS 250.085, three business days after the Supreme Court certifies to the  
31 secretary a final ballot title for the state initiative petition;

1 (b) Three business days after a prospective petition is filed under ORS  
2 249.865 or 250.045 for a state recall petition or state referendum petition; or

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

6 (5) The secretary by rule shall establish a process by which a chief  
7 petitioner of a state initiative, referendum or recall petition or a prospective  
8 petition for a state measure to be initiated may request a modification of the  
9 templates issued under subsection (4) of this section.

10 (6)(a) In addition to the templates prepared under subsections (1) to (5)  
11 of this section, for each state initiative, referendum or recall petition or  
12 prospective petition, the secretary shall prepare an official electronic tem-  
13 plate of a signature sheet for the petition or prospective petition.

14 (b) A template prepared under this subsection shall allow space for the  
15 signature of one elector.

16 (c)(A) **Except as provided in paragraph (d) of this subsection,** an  
17 elector may print a copy of the electronic signature sheet for a petition or  
18 prospective petition, sign the sheet and deliver the signed sheet to a chief  
19 petitioner or an agent designated by a chief petitioner.

20 **(B) Only an elector who has personally printed a copy of the elec-**  
21 **tronic signature sheet for a petition or prospective petition may sign**  
22 **the sheet. A copy of an electronic signature sheet may not be printed**  
23 **by one person and signed by an elector who is not the person who**  
24 **printed the sheet.**

25 **(d) If the secretary determines that a violation of paragraph (c)(B)**  
26 **of this subsection has occurred with respect to a particular petition**  
27 **or prospective petition, the secretary:**

28 **(A) Shall stop making publicly available the electronic signature**  
29 **sheet for that petition or prospective petition;**

30 **(B) May not accept the submission of electronic signature sheets**  
31 **for that petition or prospective petition that are submitted after the**

1 **date on which the secretary determined that a violation of paragraph**  
2 **(c)(B) of this subsection has occurred; and**

3 **(C) Shall place a notice on the secretary’s website, stating the date**  
4 **on which the electronic signature sheet may no longer be used to**  
5 **submit a signature for that petition or prospective petition.**

6 **(e)** Electronic templates described in this subsection are subject to the  
7 requirements of ORS 250.045, other than ORS 250.045 (6), (9) and (10).

8 **(7)** The secretary shall adopt rules prescribing the contents and method  
9 of production of official templates required under this section.

10 **SECTION 2. The amendments to ORS 250.052 by section 1 of this**  
11 **2019 Act apply to the use of electronic signature sheets on or after the**  
12 **effective date of this 2019 Act.**

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