

Enrolled
Senate Bill 761

Sponsored by COMMITTEE ON RULES

CHAPTER

AN ACT

Relating to electronic signature sheets; amending ORS 250.052.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b)(A) A template prepared under this subsection shall *[allow]* **provide:**

(i) Space for the signature of one elector **to signify support for the state initiative, referendum or recall petition or prospective petition; and**

(ii) **Space for the signature of the same elector to certify that the elector received a copy of the electronic signature sheet in compliance with paragraph (c)(B) of this subsection.**

(B) The Secretary of State or county clerk may tally only electronic signature sheets that are signed in both spaces described in this paragraph.

(c)(A) An elector may print a copy of the electronic signature sheet for a petition or prospective petition, sign the sheet and deliver the signed sheet to a chief petitioner or an agent designated by a chief petitioner.

(B) Only an elector who either has personally printed a copy of the electronic signature sheet of a petition or prospective petition or has requested that a separate person print a copy of the electronic signature sheet specifically for the elector may sign the sheet. A copy of an electronic signature sheet may not be signed by an elector who did not either print the sheet or request that the sheet be printed specifically for the elector.

(d) Electronic templates described in this subsection are subject to the requirements of ORS 250.045, other than ORS 250.045 [(6),] (9) and (10), **and the template must include a full and correct copy of the measure to be initiated or referred.**

(e) **Except as provided in paragraph (c)(B) of this subsection, a person who is obtaining signatures on a petition or prospective petition, whether paid or unpaid, may not provide a printed electronic signature sheet to an elector.**

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

Passed by Senate June 19, 2019

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 30, 2019

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State