

Senate Bill 761

Sponsored by COMMITTEE ON RULES

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

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 amending ORS 250.052.

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

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

6 250.052. (1)(a) For each state initiative, referendum or recall petition, the Secretary of State
7 shall prepare official templates of the cover and signature sheets for the petition. Except as pro-
8 vided in this section, templates of cover and signature sheets for state initiative and referendum
9 petitions are subject to the requirements of ORS 250.045. The templates of signature sheets to be
10 used by persons who are being paid to obtain signatures on the petition shall be a different color
11 from the sheets to be used by persons who are not being paid to obtain signatures on the petition.

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

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

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

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

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

30 (b) If the ballot title for a state initiative petition has been challenged under ORS 250.085, the

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

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

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

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

11 (c) Three business days after the chief petitioner files a statement with the secretary under ORS
12 250.045 (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)(a) 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.

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

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

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

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

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

31 **(B) May not accept the submission of electronic signature sheets for that petition or**
32 **prospective petition that are submitted after the date on which the secretary determined**
33 **that a violation of paragraph (c)(B) of this subsection has occurred; and**

34 **(C) Shall place a notice on the secretary's website, stating the date on which the elec-**
35 **tronic signature sheet may no longer be used to submit a signature for that petition or**
36 **prospective petition.**

37 (e) Electronic templates described in this subsection are subject to the requirements of ORS
38 250.045, other than ORS 250.045 (6), (9) and (10).

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

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