

# Senate Bill 880

Sponsored by Senator BOQUIST

## 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**.

Eliminates primary election as nominating election for major political party candidates. Requires major political parties to nominate candidates in manner provided in party organizational documents.

Directs Secretary of State to adopt rules setting procedures for conduct of partisan primary election for nominations for President of United States.

## A BILL FOR AN ACT

Relating to elections; creating new provisions; amending ORS 248.006, 248.007, 248.009, 249.013, 249.016, 249.020, 249.031, 249.035, 249.037, 249.042, 249.046, 249.056, 249.064, 249.076, 249.180, 249.200, 249.705, 249.720, 249.810, 249.842, 249.850, 251.026, 251.065, 253.540, 253.565, 254.056, 254.115, 254.470, 254.555, 254.565, 254.575, 254.650 and 260.005; and repealing ORS 248.012, 248.015, 248.017, 248.023, 248.024, 248.026, 248.027, 248.029, 248.031, 248.033, 248.035, 248.043, 248.045, 248.072, 248.075, 248.085, 249.023, 249.068, 249.190, 254.025, 254.076, 254.365 and 254.370.

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

**SECTION 1.** ORS 254.056 is amended to read:

254.056. (1) The general election shall be held on the first Tuesday after the first Monday in November of each even-numbered year. Except as provided in ORS 254.650, at the general election officers of the state and subdivisions of the state, members of Congress and electors of President and Vice President of the United States as are to be elected in that year shall be elected.

(2) The primary election shall be held on the third Tuesday in May of each even-numbered year. *[At the primary election precinct committeepersons shall be elected and major political party candidates shall be nominated for offices to be filled at the general election held in that year.]*

**SECTION 2.** ORS 248.009 is amended to read:

248.009. (1) A **major or** minor political party shall file with the filing officer a copy of its organizational documents establishing its process for nominating candidates for public office. The organizational documents shall be filed not later than 30 days after they are adopted. The nominating process for candidates for election at the general election shall provide an equal opportunity to all registered members of the party within the electoral district to participate in the process of making nominations or selecting the delegates who will make the nominations. A **major or** minor political party shall file copies of any changes to its organizational documents relating to nomination of candidates for public office not later than 30 days after the date any changes were made. The **major or** minor political party shall nominate candidates for public office only in accordance with the procedures set forth in its organizational documents.

(2) A **major or** minor political party shall file with the filing officer a list of any officers selected by the party. The list shall be filed not later than 10 days after any selection is made. A **major or** minor political party shall file copies of any changes to the list of officers not later than

**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 10 days after the date any changes were made.

2 (3) Not later than the 10th day before any nominating convention of a **major or** minor political  
3 party, notice shall be published at least once in not fewer than three newspapers of general circu-  
4 lation within the electoral district for which the nomination will be made. If there are fewer than  
5 three newspapers of general circulation within the electoral district, notice shall be published at  
6 least once in one newspaper of general circulation within the electoral district for which the nomi-  
7 nation will be made and other public notice shall be given that is reasonably calculated to assure  
8 that party members in the electoral district receive notice of the convention. The notice shall con-  
9 tain the time and place of the convention, and the office or offices for which nominations will be  
10 made.

11 **SECTION 3.** ORS 249.705 is amended to read:

12 249.705. A **major political party**, minor political party, assembly of electors or individual elec-  
13 tors may nominate one candidate for each partisan public office to be filled at the general election  
14 by preparing and filing a certificate of nomination as provided in ORS 249.712 to 249.850.

15 **SECTION 4.** ORS 248.006 is amended to read:

16 248.006. (1) An affiliation of electors becomes a major political party in this state [*and is quali-*  
17 *fied to make nominations at a primary election*] when a number of electors equal to at least five  
18 percent of the number of electors registered in this state are registered as members of the party not  
19 later than the 275th day before the date of a primary election. An affiliation of electors satisfying  
20 the requirements of this subsection shall be subject to the provisions of ORS 248.007 on the date the  
21 Secretary of State determines the registration requirements are satisfied.

22 (2) The number of electors described in subsection (1) of this section shall be calculated based  
23 on the number of electors registered in this state and eligible to vote, as reported on the official  
24 abstracts of the election, at the general election immediately preceding the deadline specified in  
25 subsection (1) of this section.

26 (3) After an affiliation of electors becomes a major political party under subsection (1) of this  
27 section, in order to maintain status as a major political party subject to ORS 248.007, the party must  
28 satisfy the registration requirement of subsection (1) of this section not later than the 275th day  
29 before each primary election.

30 (4) An affiliation of electors ceases to be a major political party if the registration requirements  
31 of subsection (1) of this section are not satisfied by the 275th day before each primary election. The  
32 affiliation of electors ceases to be a major political party on the date the Secretary of State deter-  
33 mines that the registration requirement is not satisfied.

34 (5) When an affiliation of electors has not satisfied the registration requirement of subsection  
35 (1) of this section for the first time, at the request of a representative of the affiliation of electors,  
36 the Secretary of State shall determine not less than once each month whether at least five percent  
37 of the number of eligible electors registered in this state are registered as members of the party.  
38 After an affiliation of electors has qualified as a major political party, the Secretary of State shall  
39 determine on the 271st day before each primary election whether the major political party has sat-  
40 isfied the registration requirements described in subsection (3) of this section.

41 **SECTION 5.** ORS 248.007 is amended to read:

42 248.007. (1) Subject to ORS 248.005, a major political party may organize and select delegates  
43 to national party conventions in any manner.

44 [(2) *The provisions of ORS 248.012 to 248.315 do not apply to a major political party if the party*  
45 *has notified the Secretary of State as provided in subsection (5) of this section that the party does not*

1 *intend to be subject to the provisions of ORS 248.012 to 248.315. References to precinct committeepersons in any provisions of ORS chapters 246 to 260 do not apply to a party described in this subsection.]*

4 *[(3) ORS 248.012 to 248.315 apply only to a major political party that has notified the Secretary of State as provided in subsection (5) of this section that the political party intends to be subject to the provisions of ORS 248.012 to 248.315. References to precinct committeepersons in any provisions of ORS chapters 246 to 260 shall apply to a party described in this subsection. If a major political party fails to notify the Secretary of State under this subsection, the party shall be considered subject to the provisions of ORS 248.012 to 248.315.]*

10 *[(4) A major political party shall notify the Secretary of State as provided in subsection (5) of this section if the party does not intend to be subject to the provisions of ORS 248.012 to 248.315 except that the party intends to elect precinct committeepersons. If a party notifies the Secretary of State under this subsection, the party shall elect precinct committeepersons only as provided in ORS 248.015 and shall elect precinct committeepersons in the same manner in all precincts in this state.]*

16 *[(5) Not later than the 271st day before the date of the primary election, a major political party shall notify the Secretary of State in writing whether or not the party intends to be subject to the provisions of ORS 248.012 to 248.315 or whether the party intends to elect precinct committeepersons under subsection (4) of this section. If the major political party does not intend to be subject to the provisions of ORS 248.012 to 248.315 or intends to elect precinct committeepersons under subsection (4) of this section, the party shall file with the Secretary of State, at the same time notice is given under this subsection, a copy of its organizational documents setting forth the manner in which its officers and managing committees are selected or any other manner in which it conducts its affairs.]*

23 *[(6)] (2) In each even-numbered year, a major political party shall file with the Secretary of State [a statement indicating that the party is operating subject to ORS 248.012 to 248.315 or] a copy of current organizational documents setting forth the manner in which its officers and managing committees are selected or any other manner in which it conducts its affairs. Material described in this subsection shall be filed between the 271st and the 277th day before the third Tuesday in May of each odd-numbered year.*

29 *[(7) A major political party subject to the provisions of this section shall nominate candidates of the major political party, for other than political party office, at the primary election.]*

31 **SECTION 6.** ORS 249.720 is amended to read:

32 249.720. (1) A certificate of nomination shall contain:

33 (a) The name by which the candidate is commonly known. A candidate may use a nickname in parentheses in connection with the full name.

35 (b) Address information as required by the Secretary of State by rule.

36 (c) The office, and department or position number if any, for which the candidate is nominated.

37 (d) The name of the **major or** minor political party, if any, that nominated the candidate.

38 (e) If the candidate is nominated for a partisan office by an assembly of electors or individual electors, the word “nonaffiliated” and a statement that the candidate has not been a member of a major or minor political party during at least 180 days before the deadline for filing the certificate of nomination.

42 (f) A statement that the candidate will qualify if elected.

43 (g) The signature of the candidate.

44 (h) A statement of the candidate’s occupation, educational and occupational background and prior governmental experience.

1 (2) For certificates of nomination of candidates for electors of President and Vice President of  
2 the United States, the names of the candidates for President and Vice President the candidates  
3 represent may be added to the name of the minor political party or the word “nonaffiliated,” as the  
4 case may be. The names of all the candidates of a minor political party, or nonaffiliated candidates,  
5 for electors of President and Vice President may be upon the same certificate of nomination.

6 (3) A certificate of nomination made by an assembly of electors shall be signed by the presiding  
7 officer and secretary of the nominating convention of the assembly. A certificate of nomination made  
8 by a **major or** minor political party shall be signed by an officer of the party. An affidavit shall be  
9 made on the certificate by the presiding officer and secretary of the nominating convention of the  
10 assembly or by the officer of the minor political party and signed and acknowledged by them before  
11 a notary public. The affidavit shall be that the statements in the certificate of nomination and re-  
12 lated documents are true. With respect to an assembly of electors, the affidavit shall state that the  
13 assembly satisfied the requirements of ORS 249.735.

14 **SECTION 7.** ORS 249.810 is amended to read:

15 249.810. (1) Immediately after each certificate of nomination is filed, the filing officer shall enter  
16 in the register of nominations:

17 (a) The date the certificate was filed.

18 (b) The name of each candidate.

19 (c) The office for which the candidate is nominated.

20 (d) When applicable, the name of the **major or** minor political party or identification of the as-  
21 sembly of electors making the nomination, and the names of the chairperson and secretary certifying  
22 it.

23 (e) If the certificate of nomination is made by individual electors, the total number of certified  
24 signatures contained in the certificate.

25 (2) As soon as an acceptance or withdrawal of a candidate is filed with a filing officer, it shall  
26 be entered in the register of nominations.

27 **SECTION 8.** ORS 249.842 is amended to read:

28 249.842. (1) Subject to subsection (5) of this section, before the date of the general election, a  
29 vacancy in a nomination made by a **major or** minor political party may be filled as provided by  
30 party rule.

31 (2) Subject to subsection (5) of this section, before the date of the general election, a vacancy  
32 in a nomination made by an assembly of electors may be filled by:

33 (a) Reconvening the assembly that made the original nomination to select a new nominee; or

34 (b) A committee to whom the assembly at its convention delegated the authority to fill vacan-  
35 cies.

36 (3) An assembly of electors may reconvene under subsection (2) of this section only at the call  
37 of the chairperson of the original assembly. An assembly will be considered the assembly that made  
38 the original nomination if the chairperson and secretary are the same as those of the original as-  
39 sembly.

40 (4) Subject to subsection (5) of this section, before the date of the general election, a vacancy  
41 in a nomination made by individual electors may be filled by filing a new certificate of nomination.  
42 The certificate of nomination to fill the vacancy shall conform with the requirements of ORS 249.720  
43 and 249.740.

44 (5) The Secretary of State by rule may adopt a schedule specifying the period after a vacancy  
45 in a nomination occurs within which a certificate of nomination filling the vacancy must be filed.

1       **SECTION 9.** ORS 249.850 is amended to read:

2       249.850. (1) The certificate of nomination to fill the vacancy under ORS 249.842, may be filed  
3 directly with the officer with whom the certificate of nomination of the original candidate was filed,  
4 or it may be presented in duplicate to any county clerk who shall file one of the certificates in the  
5 clerk's office, immediately notify the appropriate filing officer of the nomination and send the du-  
6 plicate certificate to the officer by the most expeditious method practicable.

7       (2) Upon receipt of notification that a vacancy has been filled, the filing officer shall certify the  
8 name of the person selected to fill the vacancy to be included on the ballot. If the certification of  
9 candidates has already been sent to the county clerk, the Secretary of State or city filing officer  
10 immediately shall give written certification of the new candidate to each county clerk responsible  
11 for preparing ballots on which the office will appear. The certification shall state the name and  
12 residence of the candidate nominated to fill the vacancy, the office for which the nomination was  
13 made, the name of the **major or** minor political party the candidate represents or the name of the  
14 chairperson of the assembly nominating the candidate, and the name of the person for whom the  
15 candidate is substituted. Upon receipt of the certification, the county clerk shall place the new  
16 candidate's name on the ballot.

17       **SECTION 10.** ORS 249.013 is amended to read:

18       249.013. (1) A person may not be a candidate for more than one lucrative office to be filled at  
19 the same election.

20       (2) A person may not file a nominating petition or declaration of candidacy for more than one  
21 lucrative office [*or more than one office of precinct committeeperson*] before the date of the election  
22 at which a person will be nominated or elected to each office unless the person first files a written  
23 withdrawal, under ORS 249.170, of the person's initial filing.

24       (3) If at any time before the date of the election at which a person will be nominated or elected  
25 to each office it is determined that a person has filed two or more nominating petitions or declara-  
26 tions of candidacy for any lucrative office [*or two or more nominating petitions or declarations of*  
27 *candidacy for the office of precinct committeeperson*] without written withdrawal or withdrawals in-  
28 tervening, all such filings are invalid and any other filing made by the same person is void.

29       (4)(a) A person may not be a candidate for more than one position on the same district board  
30 to be filled at the same election.

31       (b) As used in this subsection, "district board" means the governing body of a district as defined  
32 in ORS 255.012.

33       (5) A person may not be a candidate for more than one city office to be filled at the same  
34 election.

35       (6) Notwithstanding any provision of this section, in the case of a vacancy to be filled by  
36 election, the same person is eligible for nomination and election to both the unexpired and the  
37 succeeding terms. The name of the candidate may be placed on the ballot in both places.

38       **SECTION 11.** ORS 249.016 is amended to read:

39       249.016. A candidate [*of a major political party for public office or a candidate*] for nonpartisan  
40 office shall be nominated only in the manner provided in ORS 249.016 to 249.205.

41       **SECTION 12.** ORS 249.020 is amended to read:

42       249.020. (1) An eligible elector may become a candidate for nonpartisan office[, *or for the nomi-*  
43 *nation to an office by the major political party of which the elector is a member,*] by filing a nominating  
44 petition or a declaration of candidacy.

45       (2) At the time of filing, a declaration of candidacy shall be accompanied by the filing fee

1 specified in ORS 249.056.

2 (3) At the time of filing, a nominating petition shall contain the signature sheets described under  
3 ORS 249.064.

4 **SECTION 13.** ORS 249.031 is amended to read:

5 249.031. (1) [*Except as provided in subsection (2) of this section,*] A nominating petition or decla-  
6 ration of candidacy shall contain:

7 (a) The name by which the candidate is commonly known. A candidate may use a nickname in  
8 parentheses in connection with the candidate's full name.

9 (b) Address information as required by the Secretary of State by rule.

10 (c) The office and department or position number, if any, for which the candidate seeks nomi-  
11 nation.

12 [(d) *If the candidate is seeking the nomination of a major political party, the name of the major*  
13 *political party of which the candidate will have been a member, subject to the exceptions stated in ORS*  
14 *249.046, during at least 180 days before the deadline for filing a nominating petition or declaration of*  
15 *candidacy.*]

16 [(e) (d) A statement that the candidate is willing to accept the nomination or election [*or, re-*  
17 *garding a candidate for precinct committeeperson, that the candidate accepts the office if elected*].

18 [(f) (e) A statement that the candidate will qualify if elected.

19 [(g) *If the candidate is seeking the nomination of a major political party, a statement that the*  
20 *candidate, if not nominated, will not accept the nomination or endorsement of any political party other*  
21 *than the one of which the candidate is a member on the date the petition or declaration is filed.*]

22 [(h) (f) The signature of the candidate.

23 [(i) (g) A statement of the candidate's occupation, educational and occupational background and  
24 prior governmental experience.

25 [(2) *Subsection (1)(i) of this section does not apply to a candidate for election as a precinct com-*  
26 *mitteeperson.*]

27 [(3) (2) A declaration of candidacy shall include a statement that the required fee is included  
28 with the declaration.

29 [(4) *If required by the national rules of the major political party, the declaration of a candidate for*  
30 *election as a precinct committeeperson shall include the name of the individual the candidate supports*  
31 *for President of the United States or "uncommitted" or "no preference."*]

32 **SECTION 14.** ORS 249.035 is amended to read:

33 249.035. A nominating petition or declaration of candidacy relating to a candidate for:

34 (1) State office, United States Senator or Representative in Congress shall be filed with the  
35 Secretary of State.

36 (2) County office [*or precinct committeeperson*] shall be filed with the county clerk.

37 (3) City office shall be filed with the chief city elections officer.

38 (4) Any elected office of a metropolitan service district under ORS chapter 268 shall be filed  
39 with the county clerk of the county in which the administrative office of the district is located.

40 (5) Any other office shall be filed under ORS chapter 255.

41 **SECTION 15.** ORS 249.037, as amended by section 8, chapter 70, Oregon Laws 2018, is amended  
42 to read:

43 249.037. [(1) *Except as otherwise provided in this section,*] A nominating petition or declaration  
44 of candidacy shall be filed not sooner than the 250th day and not later than the 70th day before the  
45 date of the nominating election.

1        [(2) *If a vacancy occurs in a partisan elective office after the 80th day and before the 70th day*  
 2 *before the nominating election, a nominating petition or declaration of candidacy for that office may*  
 3 *be filed not later than the 65th day before the nominating election.*]

4        [(3) *A declaration of candidacy for the office of precinct committeeperson may not be filed before*  
 5 *February 1 immediately preceding the primary election.*]

6        **SECTION 16.** ORS 249.042 is amended to read:

7        249.042. When an elector files with the appropriate filing officer the statement and prospective  
 8 petition under ORS 249.061, or a declaration of candidacy, it is conclusive evidence that the elector  
 9 is a candidate for nomination or election [*by the elector's political party or*] to the nonpartisan office  
 10 stated in the petition or declaration.

11        **SECTION 17.** ORS 249.046 is amended to read:

12        249.046. (1) If a candidate has not been a member of the major political party for at least 180  
 13 days before the deadline for filing a [*nominating petition or declaration of candidacy*] **certificate of**  
 14 **nomination**, the candidate [*shall not be*] **is not** entitled to receive the nomination of that major  
 15 political party.

16        (2) If a candidate's registration becomes inactive, the inactive status [*shall*] **does** not constitute  
 17 a lapse of membership in the party if, immediately before the registration became inactive, the  
 18 candidate was a member of the party and was not a member of any other political party within the  
 19 180 days preceding the deadline for filing a [*nominating petition or declaration of candidacy*] **certi-**  
 20 **fication of nomination**.

21        (3) The requirement that the candidate be qualified by length of membership does not apply to  
 22 any candidate whose 18th birthday falls within the period of 180 days or to a write-in candidate.

23        **SECTION 18.** ORS 249.056 is amended to read:

24        249.056. (1) At the time of filing a declaration of candidacy **or certificate of nomination**, a  
 25 candidate for the following offices shall pay to the officer with whom the declaration **or certificate**  
 26 is filed the following fee:

27        (a) United States Senator, \$150.

28        (b) Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bu-  
 29 reau of Labor and Industries, Representative in Congress, judge of the Supreme Court, Court of  
 30 Appeals or Oregon Tax Court, or executive officer or auditor of a metropolitan service district, \$100.

31        (c) County officer, district attorney, county judge who exercises judicial functions or circuit  
 32 court judge, \$50.

33        (d) State Senator or Representative or councilor of a metropolitan service district under ORS  
 34 chapter 268, \$25.

35        (2) No filing fee shall be required of persons filing a declaration of candidacy for [*precinct com-*  
 36 *mitteeperson or*] justice of the peace.

37        **SECTION 19.** ORS 249.064 is amended to read:

38        249.064. [(1) *A nominating petition of a candidate seeking the nomination of a major political party*  
 39 *shall contain a statement that each elector whose signature appears on the petition is a member of the*  
 40 *same major political party as is the candidate.*]

41        [(2)] (1) A nominating petition of any candidate shall contain the number of signatures of elec-  
 42 tors required by ORS [249.068 or] 249.072 and the residence or mailing address and name or number  
 43 of the precinct, if known, of each elector whose signature appears.

44        [(3)] (2) Pursuant to ORS 249.008, the county clerks or the Secretary of State shall certify the  
 45 signatures contained in the nominating petition for genuineness.

**SECTION 20.** ORS 249.076 is amended to read:

249.076. [(1) A person who is not a member of the same major political party as the candidate for nomination by the major political party may not sign the nominating petition of the candidate.]

[(2)] Any elector may sign:

[(a)] (1) A nominating petition or certificate of nomination of any candidate for nonpartisan office;

[(b)] (2) A nominating petition or certificate of nomination of any nonaffiliated candidate; and

[(c)] (3) Nominating petitions or certificates of nomination for more than one candidate for the same office.

**SECTION 21.** ORS 249.180 is amended to read:

249.180. Any person who has been nominated at a primary election, or any person who has been nominated to fill a vacancy as provided in ORS 188.120, [or 249.190 and] 249.200 **or 249.842**, may withdraw from nomination by filing a written statement declining the nomination and stating the reason for withdrawal. The statement shall be signed by the candidate and filed not later than the 67th day before the general election with the officer with whom the candidate's declaration of candidacy or nominating petition was filed.

**SECTION 22.** ORS 249.200, as amended by section 7, chapter 70, Oregon Laws 2018, is amended to read:

249.200. (1) A major political party may nominate a candidate to fill a vacancy in a partisan elective office in the [following manner:]

[(a) If the vacancy occurs on or before the 70th day before a nominating election, by selecting a nominee at the next nominating election; or]

[(b) If the vacancy occurs after the 70th day before the nominating election and on or before the 62nd day before the general election, by selecting a nominee as] **manner** provided by party rule.

(2) The procedure under subsection (1) of this section [shall] **does** not apply in any case in which one of the following specific procedures for filling a vacancy applies:

(a) The procedure specified in ORS 188.120 for the offices of Representative in Congress and United States Senator.

(b) The appointment procedure specified in ORS 171.051 to 171.064 for state legislative office.

(c) The procedure specified in ORS chapter 236 for county office.

(d) The procedure specified in ORS chapter 221 for city office.

(3) A party that selects a nominee under subsection [(1)(b)] (1) of this section, immediately after the nomination, shall notify the filing officer with whom a declaration of candidacy **or certificate of nomination** for the office is filed of the name of the nominee by the most expeditious means practicable.

(4) The Secretary of State by rule may adopt a schedule specifying the period following a vacancy within which a major political party that selects a nominee under subsection [(1)(b)] (1) of this section must notify the filing officer of the name of the nominee under subsection (3) of this section.

**SECTION 23.** ORS 251.026 is amended to read:

251.026. (1) The Secretary of State shall prepare and have printed in the voters' pamphlet for the state primary election, the general election and any special election described in ORS 251.022 a statement containing, if applicable:

(a) Requirements for a citizen to qualify as an elector.

(b) When an elector is required to register or update a registration.

[(c) In the voters' pamphlet for the primary election, a statement of the duties and responsibilities



1 of a precinct committee person to be elected at the primary election.]

2 [(d)] (c) Any other information the Secretary of State considers relevant to the conduct of the  
3 election.

4 (2) The Secretary of State shall include a statement on the cover of the voters' pamphlet that  
5 the pamphlet may be used to assist electors in voting.

6 (3) The Secretary of State may include in the voters' pamphlet the following information:

7 (a) Maps showing the boundaries of senatorial and representative districts.

8 (b) Voter registration forms.

9 (c) Elector instructions, including the right of an elector to request a second ballot if the first  
10 ballot is spoiled and the right of an elector to seek assistance in marking the ballot.

11 **SECTION 24.** ORS 251.065 is amended to read:

12 251.065. (1)[(a) *Except as provided in paragraph (b) of this subsection,*] Not sooner than the 120th  
13 day and not later than the 68th day before the primary election, a candidate or agent on behalf of  
14 the candidate for nomination or election at the primary election to the office of President or Vice  
15 President of the United States, United States Senator, Representative in Congress or a state office  
16 as defined in ORS 249.002 may file with the Secretary of State a portrait of the candidate and a  
17 statement of the reasons the candidate should be nominated or elected. A candidate or agent on  
18 behalf of the candidate for nomination or election to a county or city office, or to an elected office  
19 of a metropolitan service district organized under ORS chapter 268, may file a portrait and state-  
20 ment under this subsection if permitted under ORS 251.067.

21 [(b) *A portrait and statement may be filed not later than the 63rd day before the primary election*  
22 *in the event of a vacancy described in ORS 249.037 (2).*]

23 (2) Not sooner than the 120th day and not later than the 70th day before the general election,  
24 a candidate or agent on behalf of the candidate for election at the general election to the office of  
25 President or Vice President of the United States, United States Senator, Representative in Congress  
26 or a state office as defined in ORS 249.002 may file with the Secretary of State a portrait of the  
27 candidate and a statement of the reasons the candidate should be elected. A candidate or agent on  
28 behalf of the candidate for election to a county or city office, or to an elected office of a metropol-  
29 itan service district organized under ORS chapter 268, may file a portrait and statement under this  
30 subsection if permitted under ORS 251.067.

31 (3) In the case of a special election to fill a vacancy as described in ORS 251.022, the Secretary  
32 of State by rule shall set the deadline for filing with the secretary a portrait of the candidate and  
33 a statement of the reasons the candidate should be nominated or elected.

34 (4) All portraits and statements described in this section must be filed using the electronic filing  
35 system adopted by the Secretary of State under ORS 251.014.

36 (5) Subject to the requirements of this section, the Secretary of State by rule shall establish the  
37 format of the statements permitted under this section.

38 (6) A portrait or statement filed under this section must be accompanied by a telephone or  
39 electronic facsimile transmission machine number where the candidate may be contacted for pur-  
40 poses of ORS 251.087.

41 **SECTION 25.** ORS 253.540 is amended to read:

42 253.540. (1) Any military or overseas elector may secure a ballot by submitting an application  
43 as specified in subsection (2) of this section to the clerk of the county of the military or overseas  
44 elector's residence, or to the Secretary of State. If the application is addressed to the Secretary of  
45 State, the secretary shall forward it to the appropriate county clerk.

1 (2) An application for a ballot by a military or overseas elector shall be made in the form of a  
 2 written request. The application shall be valid for every subsequent election until the elector oth-  
 3 erwise notifies the clerk or is no longer an elector of the county. The application shall be signed  
 4 by the applicant and contain:

5 (a) The name and current mailing address of the applicant;

6 (b) A statement that the applicant is a citizen of the United States;

7 (c) A statement that the applicant will be 18 years of age or older on the date of the election;

8 (d) A statement that for more than 20 days preceding the election the applicant's home residence  
 9 has been in this state, and giving the address of the last home residence;

10 (e) A statement of the facts that qualify the applicant as a military or overseas elector or as the  
 11 spouse or a dependent of a military or overseas elector; **and**

12 (f) A statement that the applicant is not requesting a ballot from any other state and is not  
 13 voting in any other manner in the election except by the requested ballot; *and*].

14 *[(g) If the applicant desires to vote in a primary election, a designation of the applicant's political*  
 15 *party affiliation or a statement that the applicant is not affiliated with any political party. An applicant*  
 16 *not affiliated with any political party may request a ballot for a major political party. The applicant*  
 17 *shall be sent the ballot for the political party that the applicant requested if that political party has*  
 18 *provided under ORS 254.365 for a primary election that admits electors not affiliated with any political*  
 19 *party.]*

20 **SECTION 26.** ORS 253.565 is amended to read:

21 253.565. (1) Any military or overseas elector may secure a special ballot for a primary election  
 22 or general election by making an application under this section if the elector believes that:

23 (a) The elector will be residing, stationed or working outside the territorial limits of the United  
 24 States and the District of Columbia; and

25 (b) The elector will be unable to vote and return a regular ballot by normal mail delivery within  
 26 the period provided for regular absent electors.

27 (2) A military or overseas elector shall make the application for a special ballot in the form of  
 28 a written request. The elector shall submit the application before the date of the applicable election  
 29 to the clerk of the county of the military or overseas elector's residence or to the Secretary of State.  
 30 If the application is addressed to the Secretary of State, the secretary shall forward it to the ap-  
 31 propriate county clerk. The application shall be signed by the applicant and contain:

32 (a) The name and current mailing address of the applicant;

33 (b) A designation of the election for which the applicant requests a special ballot;

34 (c) A statement that the applicant is a citizen of the United States;

35 (d) A statement that the applicant will be 18 years of age or older on the date of the election;

36 (e) A statement that for more than 20 days preceding the election the applicant's home residence  
 37 has been in this state, and giving the address of the last home residence;

38 (f) A statement of the facts that qualify the applicant as a military or overseas elector or as the  
 39 spouse or a dependent of a military or overseas elector;

40 (g) A statement of the facts that qualify the applicant to vote by means of a special ballot; **and**

41 (h) A statement that the applicant is not requesting a ballot from any other state and is not  
 42 voting in any other manner in the election except by the requested special ballot; *and*].

43 *[(i) If the applicant requests a ballot for a primary election, a designation of the applicant's poli-*  
 44 *tical party affiliation or a statement that the applicant is not affiliated with any political party. An*  
 45 *applicant not affiliated with any political party may request a ballot for a major political party. The*

1 *applicant shall be sent the ballot for the political party that the applicant requested if that political*  
 2 *party has provided under ORS 254.365 for a primary election that admits electors not affiliated with*  
 3 *any political party.]*

4 (3) An application for a special ballot shall be valid only for the election specified in the appli-  
 5 cation.

6 (4) The county clerk shall list on the special ballot the offices and measures scheduled to appear  
 7 on the regular ballot, if known when the ballot is prepared, and provide space in which the elector  
 8 may write in the elector’s preference.

9 (5) The elector may write in the name of any eligible candidate for each office to be filled or for  
 10 which nominations will be made at the election, and may vote on any measure submitted at the  
 11 election.

12 **SECTION 27.** ORS 254.115 is amended to read:

13 254.115. (1) The official primary election ballot shall [*be styled “Official Primary Nominating*  
 14 *Ballot for the \_\_\_\_\_ Party.” and shall*] state:

15 (a) The name of the county for which it is intended.

16 (b) The date of the primary election.

17 (c) The names of all candidates for nomination at the primary election whose nominating pe-  
 18 titions or declarations of candidacy have been made and filed, and who have not died, withdrawn  
 19 or become disqualified.

20 [*(d) The names of candidates for election as precinct committeeperson.*]

21 [*(e)*] (d) The names of candidates for the party nomination for President of the United States  
 22 who qualified for the ballot under ORS 249.078.

23 (2) The primary election ballot may include any city, county or nonpartisan office or the number,  
 24 ballot title and financial estimates under ORS 250.125 of any measure.

25 (3)(a) The ballot may not contain the name of any person other than those referred to in sub-  
 26 sections (1) and (2) of this section.

27 (b) The name of each candidate for whom a nominating petition or declaration of candidacy has  
 28 been filed shall be printed on the ballot in but one place, except in circumstances where a candidate  
 29 may hold more than one office or nomination without violating ORS 249.013.

30 (c) In the event that two or more candidates for the same nomination or office have the same  
 31 or similar surnames, the location of their places of residence shall be printed with their names to  
 32 distinguish one from another.

33 **SECTION 28.** ORS 254.470, as amended by section 4, chapter 70, Oregon Laws 2018, is amended  
 34 to read:

35 254.470. (1) The Secretary of State by rule shall establish requirements and criteria for the  
 36 designation of places of deposit for the ballots cast in an election. The rules shall also specify the  
 37 dates and times the places of deposit must be open and the security requirements for the places of  
 38 deposit. At a minimum, the places designated under this section shall be open on the date of the  
 39 election for a period of eight or more hours, but must be open until at least 8 p.m. At each place  
 40 of deposit designated under this section, the county clerk shall prominently display a sign stating  
 41 that the location is an official ballot drop site.

42 (2)(a) Except as provided in paragraphs (b) and (c) of this subsection, the county clerk shall mail  
 43 by nonforwardable mail an official ballot with a return identification envelope and a secrecy envel-  
 44 ope not sooner than the 20th day before the date of an election and not later than the 14th day  
 45 before the date of the election, to each active elector of the electoral district as of the 21st day

1 before the date of the election.

2 (b) If the county clerk determines that an active elector of the electoral district as of the 21st  
 3 day before the date of the election does not receive daily mail service from the United States Postal  
 4 Service, the county clerk shall mail by nonforwardable mail an official ballot with a return iden-  
 5 tification envelope and a secrecy envelope to the elector not sooner than the 20th day before the  
 6 date of an election and not later than the 18th day before the date of the election.

7 (c) In the case of ballots to be mailed to addresses outside this state to electors who are not  
 8 military or overseas electors, the county clerk may mail the ballots not sooner than the 29th day  
 9 before the date of the election.

10 (3) For an election held on the date of a primary election,[:]

11 [(a) *The county clerk shall mail the official ballot of a major political party to each elector who is*  
 12 *registered as being affiliated with the major political party as of the 21st day before the date of the*  
 13 *election.*]

14 [(b) *The county clerk shall mail the official ballot of a major political party to an elector not af-*  
 15 *iliated with any political party if the elector has applied for the ballot as provided in this subsection*  
 16 *and that party has provided under ORS 254.365 for a primary election that admits electors not affil-*  
 17 *iated with any political party.*]

18 [(c) *An elector not affiliated with any political party who wishes to vote in the primary election of*  
 19 *a major political party shall apply to the county clerk in writing. The application must be completed,*  
 20 *signed and submitted by the elector electronically, in person or by mail, in a manner determined by the*  
 21 *secretary by rule and must indicate which major political party ballot the elector wishes to receive.*  
 22 *Except for electors described in subsection (4) of this section, and subject to ORS 247.203, the applica-*  
 23 *tion must be received by the county clerk not later than 5 p.m. of the 21st day before the date of the*  
 24 *election.*]

25 [(d) *If the primary election*] **if the** ballot includes city, county or nonpartisan offices or measures,  
 26 the county clerk shall mail to each elector [*who is not eligible to vote for party candidates a ballot*  
 27 *limited to*] **a ballot containing** those offices and measures for which the elector is eligible to vote.

28 (4) For each elector who updates a voter registration after the deadline in ORS 247.025, the  
 29 county clerk shall make the official ballot, the return identification envelope and the secrecy en-  
 30 velope available either by mail or at the county clerk's office or at another place designated by the  
 31 county clerk. An elector to whom this subsection applies must request a ballot from the county  
 32 clerk.

33 (5) The ballot shall contain the following warning:  
 34

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35  
 36 Any person who, by use of force or other means, unduly influences an elector to vote in any  
 37 particular manner or to refrain from voting is subject to a fine.  
 38

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39  
 40 (6)(a) Upon receipt of any ballot described in this section, the elector shall mark the ballot, sign  
 41 the return identification envelope supplied with the ballot and comply with the instructions provided  
 42 with the ballot.

43 (b) The elector may return the marked ballot to the county clerk by United States mail or by  
 44 depositing the ballot at the office of the county clerk, at any place of deposit designated by the  
 45 county clerk or at any location described in ORS 254.472 or 254.474.

1 (c) The ballot must be returned in the return identification envelope. If the elector returns the  
2 ballot by mail, the elector must provide the postage.

3 (d) Subject to paragraph (e) of this subsection, if a person returns a ballot for an elector, the  
4 person shall deposit the ballot in a manner described in paragraph (b) of this subsection not later  
5 than two days after receiving the ballot.

6 (e) A ballot must be received at the office of the county clerk, at the designated place of deposit  
7 or at any location described in ORS 254.472 or 254.474 not later than the end of the period deter-  
8 mined under subsection (1) of this section on the date of the election.

9 (7) An elector may obtain a replacement ballot if the ballot is destroyed, spoiled, lost or not  
10 received by the elector. Replacement ballots shall be issued and processed as described in this  
11 section and ORS 254.480. The county clerk shall keep a record of each replacement ballot provided  
12 under this subsection. Notwithstanding any deadline for mailing ballots in subsection (2) of this  
13 section, a replacement ballot may be mailed, made available in the office of the county clerk or made  
14 available at one central location in the electoral district in which the election is conducted. The  
15 county clerk shall designate the central location. A replacement ballot need not be mailed after the  
16 fifth day before the date of the election.

17 (8) A ballot shall be counted only if:

18 (a) It is returned in the return identification envelope;

19 (b) The envelope is signed by the elector to whom the ballot is issued, unless a certified state-  
20 ment is submitted under ORS 254.431; and

21 (c) The signature is verified as provided in subsection (9) of this section.

22 (9) The county clerk shall verify the signature of each elector on the return identification en-  
23 velope with the signature on the elector's registration record, according to the procedure provided  
24 by rules adopted by the Secretary of State. If the county clerk determines that an elector to whom  
25 a replacement ballot has been issued has voted more than once, the county clerk shall count only  
26 one ballot cast by that elector.

27 (10) At 8 p.m. on election day, electors who are at the county clerk's office, a place of deposit  
28 designated under subsection (1) of this section or any location described in ORS 254.472 or 254.474  
29 and who are in line waiting to vote or deposit a voted ballot shall be considered to have begun the  
30 act of voting.

31 **SECTION 29.** ORS 254.555 is amended to read:

32 254.555. (1) Except as provided in ORS 254.548, not later than the 30th day after any election,  
33 the Secretary of State, regarding offices for which the secretary receives filings for nomination,  
34 shall:

35 (a) Canvass the votes for the offices, except the office of Governor after the general election.

36 (b) Enter in a register of nominations after the primary election the name [*and, if applicable,*  
37 *major political party*] of each candidate nominated, the office for which the candidate is nominated  
38 and the date of entry.

39 (c) Prepare and deliver a certificate of nomination or election to each candidate having the most  
40 votes for nomination for or election to the office. The Secretary of State shall sign the certificate  
41 under the seal of the state.

42 (d) Issue a proclamation declaring the election of candidates to the offices.

43 (2) Not later than the 30th day after the election:

44 (a) The Secretary of State, regarding measures for which the secretary is the filing officer, shall  
45 canvass the votes for each measure.

1 (b) The Governor shall issue a proclamation giving the number of votes cast for or against each  
 2 such measure, and declaring the approved measures as the law on the effective date of the measure.  
 3 If two or more approved measures contain conflicting provisions, the Governor shall proclaim which  
 4 is paramount.

5 **SECTION 30.** ORS 254.565 is amended to read:

6 254.565. Subject to ORS 254.548, the chief city elections officer:

7 (1) After the primary election, shall enter in a register of nominations:

8 (a) The name of each candidate for city office nominated at the primary election.

9 (b) The office for which the candidate is nominated.

10 *[(c) If applicable, the name of the major political party nominating the candidate.]*

11 *[(d)]* (c) The date of the entry.

12 (2) After the general election, shall prepare and deliver a certificate of election to each qualified  
 13 candidate having the most votes for election to a city office.

14 (3) Not later than the 40th day after any election, shall canvass the vote on each city measure,  
 15 and if two or more of the approved measures contain conflicting provisions, proclaim which is par-  
 16 amount.

17 **SECTION 31.** ORS 254.575 is amended to read:

18 254.575. When two or more candidates for the same office, after a full recount of votes, have an  
 19 equal and the highest number of votes:

20 (1) For election to state Senator or Representative, *[a party office,]* or a public office for which  
 21 the elections officer is other than the Secretary of State, the elections officer shall have the candi-  
 22 dates meet publicly to decide by lot who is elected.

23 (2) For election to a public office other than Governor or those referred to in subsection (1) of  
 24 this section, the Secretary of State by proclamation shall order a new election to fill the office.

25 (3) For election to Governor, the Legislative Assembly at the beginning of the next regular  
 26 session shall meet jointly and elect one of the candidates.

27 *[(4) For nomination by one major political party to an office, the elections officer who receives  
 28 filings for nomination to the office shall have the candidates meet publicly to decide by lot who is  
 29 nominated.]*

30 **SECTION 32.** ORS 254.650 is amended to read:

31 254.650. (1) If the Secretary of State determines that a vacancy exists in the nomination of a  
 32 candidate of a major political party for state office, that the vacancy is due to the death of the  
 33 candidate and that the vacancy occurred after the 47th day before the date of the general election:

34 (a) The election for that state office may not be held at the general election;

35 (b) The county clerks may not count ballots cast for candidates for that state office at the  
 36 general election; and

37 (c) The Secretary of State shall order a special election as provided in ORS 254.655.

38 (2) The candidates listed on the ballot at the special election shall be:

39 (a) The candidates who were listed on the general election ballot, other than the candidate  
 40 whose nomination became vacant; and

41 (b) The candidate selected to fill the vacancy in the nomination as provided in ORS *[249.190*  
 42 *or] 249.205 or 249.842.*

43 (3) As used in this section "state office" means the office of Governor, Secretary of State, State  
 44 Treasurer, Attorney General, state Senator or state Representative.

45 **SECTION 33.** ORS 260.005, as amended by section 14, chapter 70, Oregon Laws 2018, is

1 amended to read:

2 260.005. As used in this chapter:

3 (1)[(a)] “Candidate” means:

4 [(A)] (a) An individual whose name is printed on a ballot, for whom a declaration of candidacy,  
5 nominating petition or certificate of nomination to public office has been filed or whose name is  
6 expected to be or has been presented, with the individual’s consent, for nomination or election to  
7 public office;

8 [(B)] (b) An individual who has solicited or received and accepted a contribution, made an ex-  
9 penditure, or given consent to an individual, organization, political party or political committee to  
10 solicit or receive and accept a contribution or make an expenditure on the individual’s behalf to  
11 secure nomination or election to any public office at any time, whether or not the office for which  
12 the individual will seek nomination or election is known when the solicitation is made, the contri-  
13 bution is received and retained or the expenditure is made, and whether or not the name of the in-  
14 dividual is printed on a ballot; or

15 [(C)] (c) A public office holder against whom a recall petition has been completed and filed.

16 [(b) For purposes of this section and ORS 260.035 to 260.156, “candidate” does not include a can-  
17 didate for the office of precinct committeeperson.]

18 (2) “Committee director” means any person who directly and substantially participates in  
19 decision-making on behalf of a political committee concerning the solicitation or expenditure of  
20 funds and the support of or opposition to candidates or measures. The officers of a political party  
21 shall be considered the directors of any political party committee of that party, unless otherwise  
22 provided in the party’s bylaws.

23 (3) Except as provided in ORS 260.007, “contribute” or “contribution” includes:

24 (a) The payment, loan, gift, forgiving of indebtedness, or furnishing without equivalent compen-  
25 sation or consideration, of money, services other than personal services for which no compensation  
26 is asked or given, supplies, equipment or any other thing of value:

27 (A) For the purpose of influencing an election for public office or an election on a measure, or  
28 of reducing the debt of a candidate for nomination or election to public office or the debt of a pol-  
29 itical committee; or

30 (B) To or on behalf of a candidate, political committee or measure; and

31 (b) The excess value of a contribution made for compensation or consideration of less than  
32 equivalent value.

33 (4) “Controlled committee” means a political committee that, in connection with the making of  
34 contributions or expenditures:

35 (a) Is controlled directly or indirectly by a candidate or a controlled committee; or

36 (b) Acts jointly with a candidate or controlled committee.

37 (5) “Controlled directly or indirectly by a candidate” means:

38 (a) The candidate, the candidate’s agent, a member of the candidate’s immediate family or any  
39 other political committee that the candidate controls has a significant influence on the actions or  
40 decisions of the political committee; or

41 (b) The candidate’s principal campaign committee and the political committee both have the  
42 candidate or a member of the candidate’s immediate family as a treasurer or director.

43 (6) “County clerk” means the county clerk or the county official in charge of elections.

44 (7) “Elector” means an individual qualified to vote under Article II, section 2, of the Oregon  
45 Constitution.

1 (8) Except as provided in ORS 260.007, “expend” or “expenditure” includes the payment or fur-  
 2 nishing of money or anything of value or the incurring or repayment of indebtedness or obligation  
 3 by or on behalf of a candidate, political committee or person in consideration for any services,  
 4 supplies, equipment or other thing of value performed or furnished for any reason, including support  
 5 of or opposition to a candidate, political committee or measure, or for reducing the debt of a can-  
 6 didate for nomination or election to public office. “Expenditure” also includes contributions made  
 7 by a candidate or political committee to or on behalf of any other candidate or political committee.

8 (9) “Filing officer” means:

9 (a) The Secretary of State:

10 (A) Regarding a candidate for public office;

11 (B) Regarding a statement required to be filed under ORS 260.118;

12 (C) Regarding any measure; or

13 (D) Regarding any political committee.

14 (b) In the case of an irrigation district formed under ORS chapter 545, “filing officer” means:

15 (A) The county clerk, regarding any candidate for office or any measure at an irrigation district  
 16 formation election where the proposed district is situated wholly in one county;

17 (B) The county clerk of the county in which the office of the secretary of the proposed irrigation  
 18 district will be located, regarding any candidate for office or any measure at an irrigation district  
 19 formation election where the proposed district is situated in more than one county; or

20 (C) The secretary of the irrigation district for any election other than an irrigation district  
 21 formation election.

22 (10) “Independent expenditure” means an expenditure by a person for a communication in sup-  
 23 port of or in opposition to a clearly identified candidate or measure that is not made with the co-  
 24 operation or with the prior consent of, or in consultation with, or at the request or suggestion of,  
 25 a candidate or any agent or authorized committee of the candidate, or any political committee or  
 26 agent of a political committee supporting or opposing a measure. For purposes of this subsection:

27 (a) “Agent” means any person who has:

28 (A) Actual oral or written authority, either express or implied, to make or to authorize the  
 29 making of expenditures on behalf of a candidate or on behalf of a political committee supporting or  
 30 opposing a measure; or

31 (B) Been placed in a position within the campaign organization where it would reasonably ap-  
 32 pear that in the ordinary course of campaign-related activities the person may authorize expen-  
 33 ditures.

34 (b)(A) “Clearly identified” means, with respect to candidates:

35 (i) The name of the candidate involved appears;

36 (ii) A photograph or drawing of the candidate appears; or

37 (iii) The identity of the candidate is apparent by unambiguous reference.

38 (B) “Clearly identified” means, with respect to measures:

39 (i) The ballot number of the measure appears;

40 (ii) A description of the measure’s subject or effect appears; or

41 (iii) The identity of the measure is apparent by unambiguous reference.

42 (c) “Communication in support of or in opposition to a clearly identified candidate or measure”  
 43 means:

44 (A)(i) The communication, taken in its context, clearly and unambiguously urges the election or  
 45 defeat of a clearly identified candidate for nomination or election to public office, or the passage



1 or defeat of a clearly identified measure;

2 (ii) The communication, as a whole, seeks action rather than simply conveying information; and

3 (iii) It is clear what action the communication advocates; or

4 (B)(i) The communication contains aggregate expenditures of more than \$750 by a person;

5 (ii) The communication refers to a clearly identified candidate who will appear on the ballot or  
6 to a political party; and

7 (iii) The communication is published and disseminated to the relevant electorate within 30 cal-  
8 endar days before a primary election or 60 calendar days before a general election.

9 (d) "Made with the cooperation or with the prior consent of, or in consultation with, or at the  
10 request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any  
11 political committee or agent of a political committee supporting or opposing a measure":

12 (A) Means any arrangement, coordination or direction by the candidate or the candidate's agent,  
13 or by any political committee or agent of a political committee supporting or opposing a measure,  
14 prior to the publication, distribution, display or broadcast of the communication. An expenditure  
15 shall be presumed to be so made when it is:

16 (i) Based on information about the plans, projects or needs of the candidate, or of the political  
17 committee supporting or opposing a measure, and provided to the expending person by the candidate  
18 or by the candidate's agent, or by any political committee or agent of a political committee sup-  
19 porting or opposing a measure, with a view toward having an expenditure made; or

20 (ii) Made by or through any person who is or has been authorized to raise or expend funds, who  
21 is or has been an officer of a political committee authorized by the candidate or by a political  
22 committee or agent of a political committee supporting or opposing a measure, or who is or has been  
23 receiving any form of compensation or reimbursement from the candidate, the candidate's principal  
24 campaign committee or agent or from any political committee or agent of a political committee  
25 supporting or opposing a measure.

26 (B) Does not mean providing to the expending person upon request a copy of this chapter or any  
27 rules adopted by the Secretary of State relating to independent expenditures.

28 (11) "Initiative petition" means a petition to initiate a measure for which a prospective petition  
29 has been filed but that is not yet a measure.

30 (12) "Judge" means judge of the Supreme Court, Court of Appeals, circuit court or the Oregon  
31 Tax Court.

32 (13) "Mass mailing" means more than 200 substantially similar pieces of mail, but does not in-  
33 clude a form letter or other mail that is sent in response to an unsolicited request, letter or other  
34 inquiry.

35 (14) "Measure" includes any of the following submitted to the people for their approval or re-  
36 jection at an election:

37 (a) A proposed law.

38 (b) An Act or part of an Act of the Legislative Assembly.

39 (c) A revision of or amendment to the Oregon Constitution.

40 (d) Local, special or municipal legislation.

41 (e) A proposition or question.

42 (15) "Occupation" means:

43 (a) The nature of an individual's principal business; and

44 (b) If the individual is employed by another person, the business name and address, by city and  
45 state, of the employer.

1 (16) "Person" means an individual, corporation, limited liability company, labor organization,  
2 association, firm, partnership, joint stock company, club, organization or other combination of indi-  
3 viduals having collective capacity.

4 (17) "Petition committee" means an initiative, referendum or recall petition committee organized  
5 under ORS 260.118.

6 (18) "Political committee" means a combination of two or more individuals, or a person other  
7 than an individual, that has:

8 (a) Received a contribution for the purpose of supporting or opposing a candidate, measure or  
9 political party; or

10 (b) Made an expenditure for the purpose of supporting or opposing a candidate, measure or  
11 political party. For purposes of this paragraph, an expenditure does not include:

12 (A) A contribution to a candidate or political committee that is required to report the contri-  
13 bution on a statement filed under ORS 260.057 or 260.076 or a certificate filed under ORS 260.112;  
14 or

15 (B) An independent expenditure for which a statement is required to be filed by a person under  
16 ORS 260.044.

17 (19) "Public office" means any national, state, county, district, city office or position, except a  
18 political party office, that is filled by the electors.

19 (20) "Recall petition" means a petition to recall a public officer for which a prospective petition  
20 has been filed but that is not yet a measure.

21 (21) "Referendum petition" means a petition to refer a measure for which a prospective petition  
22 has been filed but that is not yet a measure.

23 (22) "Regular district election" means the regular district election described in ORS 255.335.

24 (23) "State office" means the office of Governor, Secretary of State, State Treasurer, Attorney  
25 General, Commissioner of the Bureau of Labor and Industries, state Senator, state Representative,  
26 judge or district attorney.

27 **SECTION 34. Section 35 of this 2019 Act is added to and made a part of ORS chapter 254.**

28 **SECTION 35. (1) The Secretary of State shall adopt rules setting procedures for the**  
29 **conduct of a primary election for candidates for a major political party nomination for**  
30 **President of the United States.**

31 **(2) The rules shall include, but are not limited to:**

32 **(a) Procedures for a major political party to admit electors not affiliated with any poli-**  
33 **tical party;**

34 **(b) Procedures for delivering ballots to members of the major political party at the pri-**  
35 **mary election;**

36 **(c) Procedures for delivering ballots to electors not affiliated with any political party if**  
37 **the major political party has provided for a primary election that admits electors not affil-**  
38 **iated with any political party; and**

39 **(d) Procedures for applications for ballots by overseas or military electors.**

40 **SECTION 36. ORS 248.012, 248.015, 248.017, 248.023, 248.024, 248.026, 248.027, 248.029,**  
41 **248.031, 248.033, 248.035, 248.043, 248.045, 248.072, 248.075, 248.085, 249.023, 249.068, 249.190,**  
42 **254.025, 254.076, 254.365 and 254.370 are repealed.**