

Requested by Representative RAYFIELD

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4124**

1 On page 2 of the printed bill, delete lines 40 through 45 and delete page  
2 3 and insert:

3 **“SECTION 3. Notwithstanding sections 9(f) and 11 of chapter 3,**  
4 **Oregon Laws 2007 (Measure 47 (2006)), the provisions set forth in**  
5 **chapter 3, Oregon Laws 2007 (Measure 47 (2006)) become operative on**  
6 **July 1, 2021.**

7 **“SECTION 4. (1) The Department of Justice shall draft a legal**  
8 **opinion that analyzes the constitutionality of each provision of chapter**  
9 **3, Oregon Laws 2007 (Measure 47 (2006)) under the state and federal**  
10 **constitutions.**

11 **“(2) The department shall deliver the legal opinion to the office of**  
12 **the Secretary of State and to an interim committee related to**  
13 **elections of the Legislative Assembly in the manner provided in ORS**  
14 **192.245 no later than November 3, 2020.**

15 **“SECTION 5. (1) The Secretary of State shall adopt rules before the**  
16 **operative date specified in section 3 of this 2020 Act, that are necessary**  
17 **to enable the secretary to implement chapter 3, Oregon Laws 2007**  
18 **(Measure 47 (2006)), on and after the operative date specified in section**  
19 **3 of this 2020 Act.**

20 **(2) The secretary shall issue proposed rules under this section no**  
21 **later than December 31, 2020.**

1       **“SECTION 6. (1) Original jurisdiction to determine whether the**  
2 **provisions of chapter 3, Oregon Laws 2007 (Ballot Measure 47 (2006))**  
3 **are constitutional under the state or federal constitutions is conferred**  
4 **on the Supreme Court.**

5       **“(2)(a) Any person interested in or affected or aggrieved by chapter**  
6 **3, Oregon Laws 2007 (Ballot Measure 47 (2006)) may petition for judicial**  
7 **review under this section. A petition for review must be filed no**  
8 **sooner than January 1, 2021 and no later than March 31, 2021.**

9       **“(b) The petition must state facts showing how the petitioner is**  
10 **interested, affected or aggrieved and the grounds upon which the pe-**  
11 **tition is based.**

12       **“(3) In the event the Supreme Court determines that there are**  
13 **factual issues in the petition, the Supreme Court may appoint a special**  
14 **master to hear evidence and to prepare recommended findings of fact.**

15       **“(4) Proceedings for review under this section shall be given priority**  
16 **over all other matters before the Supreme Court.**

17       **“(5) If the Supreme Court determines that a provision of chapter**  
18 **3, Oregon Laws 2007 (Ballot Measure 47 (2006)) is unconstitutional un-**  
19 **der either the state or federal constitution, the provision is repealed**  
20 **in accordance with section 11 of chapter 3, Oregon Laws 2007 (Ballot**  
21 **Measure 47 (2006)).**

22       **“SECTION 7. If the Supreme Court issues a final decision in the**  
23 **case Multnomah County v. Elizabeth Trojan, SC number S066445, that**  
24 **does not render chapter 3, Oregon Laws 2007 operative, sections 3 to 5**  
25 **of this 2020 Act are repealed on the day next following the date on**  
26 **which the Supreme Court’s opinion is issued.**

27       **“SECTION 8. This 2020 Act being necessary for the immediate**  
28 **preservation of the public peace, health and safety, an emergency is**  
29 **declared to exist, and this 2020 Act takes effect on its passage.” .**