

House Bill 4026

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Rules for Working Families Party)

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**.

Reduces number of electors who must be registered as member of minor political party in order for minor political party to retain political party status from one-half of one percent to one-third of one percent of total number of registered electors in state.

A BILL FOR AN ACT

1
2 Relating to elections; amending ORS 248.008.

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

4 **SECTION 1.** ORS 248.008 is amended to read:

5 248.008. (1) An affiliation of electors becomes a minor political party in the state, a county or
6 other electoral district, qualified to make nominations for public office in that electoral district and
7 in any other electoral district wholly contained within the electoral district, when the affiliation of
8 electors has acted as described in either paragraph (a) or (b) of this subsection:

9 (a)(A) When the affiliation of electors has filed with the Secretary of State a petition with the
10 signatures of at least a number of electors equal to one and one-half percent of the total votes cast
11 in the electoral district for all candidates for Governor at the most recent election at which a candi-
12 dicate for Governor was elected to a full term.

13 (B) The petition must contain only original signatures and must be filed not later than two years
14 following the date the prospective petition is filed. The petition must state the intention to form a
15 new political party and designate a name for the political party.

16 (C) Before circulating the petition, the chief sponsor of the petition must file with the Secretary
17 of State a signed copy of the prospective petition. The chief sponsor must include with the pro-
18 spective petition a statement declaring whether one or more persons will be paid money or other
19 valuable consideration for obtaining signatures of electors on the petition. After the prospective
20 petition is filed, the chief sponsor must notify the filing officer not later than the 10th day after the
21 chief sponsor first has knowledge or should have had knowledge that:

22 (i) Any person is being paid for obtaining signatures, when the statement included with the
23 prospective petition declared that no person would be paid for obtaining signatures of electors.

24 (ii) No person is being paid for obtaining signatures, when the statement included with the
25 prospective petition declared that one or more persons would be paid for obtaining signatures of
26 electors.

27 (D) The circulator shall certify on each signature sheet that the circulator witnessed the signing
28 of the signature sheet by each individual whose signature appears on the signature sheet and that
29 the circulator believes each individual is an elector registered in the electoral district.

30 (E) The Secretary of State shall verify whether the petition contains the required number of

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 signatures of electors. The Secretary of State may not accept a petition for filing if it contains less
 2 than 100 percent of the required number of signatures. The Secretary of State by rule shall desig-
 3 nate a statistical sampling technique to verify whether a petition contains the required number of
 4 signatures of electors. A petition may not be rejected for the reason that it contains less than the
 5 required number of signatures unless two separate sampling processes both establish that the peti-
 6 tion lacks the required number of signatures. The second sampling must contain a larger number
 7 of signatures than the first sampling. The Secretary of State may employ professional assistance to
 8 determine the sampling technique. The statistical sampling technique may be the same as that
 9 adopted under ORS 250.105.

10 (b) When the affiliation of electors has polled for any one of its candidates for any public office
 11 in the electoral district at least one percent of the total votes cast in the electoral district for all
 12 candidates for:

13 (A) Presidential elector at the last general election at which candidates for President and Vice
 14 President of the United States were listed on the ballot; or

15 (B) Any single state office to be voted upon in the state at large for which nominations by pol-
 16 itical parties are permitted by law at the most recent election at which a candidate for the office
 17 was elected to a full term.

18 (2) After satisfying either subsection (1)(a) or (b) of this section, the minor political party may
 19 nominate candidates for election at the next general election.

20 (3) A filing officer may not accept a certificate of nomination of a candidate nominated by a
 21 minor political party for a subsequent general election unless the minor political party has main-
 22 tained status as a minor political party as described in subsection (4) of this section.

23 (4) In order to maintain status as a minor political party for a subsequent general election:

24 (a) Following each general election, at any time during the period beginning on the date of the
 25 next primary election and ending on the 90th day before the next general election, a number of
 26 electors equal to at least [*one-half*] **one-third** of one percent of the total number of registered elec-
 27 tors in this state must be registered as members of the party; or

28 (b)(A) Following each general election, at any time during the period beginning on the date of
 29 the next primary election and ending on the 90th day before the next general election, a number
 30 of electors equal to at least one-tenth of one percent of the total votes cast in the state or electoral
 31 district for all candidates for Governor at the most recent election at which a candidate for Gov-
 32 ernor was elected to a full term must be registered as members of the party; and

33 (B) At least once in a four-year period, a candidate or candidates of the party must poll at least
 34 one percent of the total votes cast in the electoral district for all candidates for:

35 (i) Presidential elector at the last general election at which candidates for President and Vice
 36 President of the United States were listed on the ballot; or

37 (ii) Any single state office to be voted upon in the state at large for which nominations by pol-
 38 itical parties are permitted by law at the most recent election at which a candidate for the office
 39 was elected to a full term.

40 (5) An affiliation of electors that fails to maintain status as a minor political party ceases to be
 41 a minor political party on the 90th day before the date of the next general election.

42 (6) During the period beginning on the date of the primary election and ending on the 90th day
 43 before the date of the general election, the Secretary of State shall determine at least once each
 44 month whether registration requirements to maintain status as a minor political party have been
 45 satisfied.

1 (7) If a minor political party changes its name, only those electors who register on or after the
2 effective date of the name change as members of the party under the new party name shall be
3 counted as members of the party.

4 (8) An affiliation of electors or a minor political party may not nominate a candidate who is the
5 nominee of another political party at the same election in order to satisfy the one percent require-
6 ment referred to in subsection (1)(b) or (4)(b)(B) of this section.

7 (9) For purposes of this section, "subsequent general election" means any general election that
8 is held after the first general election following qualification as a minor political party under sub-
9 section (1) of this section.

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