

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, 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 of the Legislative
13 Assembly related to elections, in the manner provided in ORS 192.245,
14 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 judi-**
7 **cial 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**
19 **under either the state or federal constitution, the provision is repealed**
20 **in accordance with section 11, 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 **would not render chapter 3, Oregon Laws 2007 (Ballot Measure 47**
25 **(2006)), operative under section 9 (f), chapter 3, Oregon Laws 2007,**
26 **sections 3 to 5 of this 2020 Act are repealed on the day following the**
27 **date on which the Supreme Court’s decision is issued.**

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

