

SB 27 A -A3, -A4 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 6/8, 6/17

WHAT THE MEASURE DOES:

Requires that cover sheet of state, county, district, and city initiatives list city and state of residence for chief petitioners, rather than residence address of chief petitioners. Requires notice of election for members of district board to be delivered to newspaper for printing, rather than be printed, no later than 40 days before filing deadline. Requires notice to be printed in next available edition of newspaper after filing deadline. Allows election officer to post notice on county website in lieu of printing notice in newspaper. Clarifies requirements regarding notice of ballot measure election and ballot title for district ballot measures. Clarifies that certificate of nomination by individual electors must contain number of signatures of electors cast in relevant electoral district at last presidential election, instead of at the last general election. Removes requirement that notice in newspaper state that an elector may file a petition to review the ballot title. Removes requirement for publishing an amended notice of election if the circuit court approves a different ballot title. Removes vector control districts from definition of "district" for purposes of special district elections. Clarifies timeline to request a hearing by the Secretary of State (SOS) for a person against whom a civil penalty may be assessed for failure to file certain campaign finance statements or certificates and for election conduct violations. Clarifies that a person against whom a penalty may be assessed may submit written testimony and evidence, if sworn to before a notary public, and allows written testimony and evidence to be submitted electronically. Provides that a county clerk or other filing officer is not required to provide a secrecy envelope for a ballot if the SOS has approved a different procedure to ensure secrecy. Authorizes county clerks to begin opening and counting ballots upon receipt. Requires each sheet of a petition to recall a public officer to list city and state of residence for chief petitioner, rather than residence address of chief petitioner.

Senate Vote: Ayes, 16; Nays, 10--Anderson, Boquist, Findley, Girod, Hansell, Kennemer, Knopp, Robinson, Thatcher, Thomsen

FISCAL: Fiscal impact issued

REVENUE: No revenue impact

ISSUES DISCUSSED:

- Need for the Nonaffiliated versus major party candidates
- Elections omnibus legislation

EFFECT OF AMENDMENT:

-A3 Requires Secretary of State to establish electronic filing system to allow candidates for nomination or election to county or city office held at primary or general election to file portrait and statement electronically with secretary if candidate cannot have portrait and statement printed in county voters' pamphlet. Requires Secretary of State to post candidate portrait and statements on website no later than 20 days before election date. Requires applicable state voters' pamphlets and county voters' pamphlets to include list of all offices whose candidates may post portraits and statements on Secretary of State's website and website address where portraits and statements will be posted.

FISCAL: Fiscal impact statement

REVENUE: No revenue impact

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-A4 Replaces Section 7. Clarifies that for an election next following any change in the boundaries of an electoral district, a certificate of nomination made by individual electors shall contain a number of signatures of electors equal to not less than one percent of the average number of votes cast in all of the same form of electoral districts in this state for all candidates for presidential electors at the most recent presidential election. Adds emergency clause. Makes all other provisions of bill operative on January 1, 2022.

FISCAL: Minimal fiscal impact

REVENUE: No revenue impact

BACKGROUND:

The initiative process is a method of direct democracy that allows people to propose or amend local laws and charters or to adopt or reject an ordinance or other legislative enactment passed by a local governing body. If chief petitioners gather and submit the required number of signatures, the initiative is placed on the ballot for voters to adopt or reject. Chief petitioners are the individuals responsible for the preparation and organization of the petition. Before gathering signatures, chief petitioners must file a prospective petition with the local elections official.

A ballot title is a concise and impartial statement summarizing the initiative and its major effect. After receiving the text of the prospective petition, the district attorney or city attorney drafts and files a ballot title with the local elections official. The local elections official publishes notice that the ballot title has been received in the next available edition of a newspaper of general circulation. Any registered voter may petition the Circuit Court to review the ballot title.

Vector control districts are established for the "prevention, control or eradication of public health vectors and predatory animals." One or more districts may be formed in any county. After an order is entered forming a district, the county court must appoint a governing board of five trustees, each of whom shall be a resident and elector of the district.

Oregon law requires that ballots be inserted into a secrecy envelop provided by the county clerk before being inserted into a larger envelope. The county clerk is allowed to begin opening and tallying only ballots delivered by mail and received by the county clerk seven days before an election.

Senate Bill 27 A is an omnibus elections bill. It changes the requirements for the chief petitioners' address, clarifies the requirements for district ballot measures, clarifies the basis for the number of signatures needed for a certificate of nomination, and changes the notice requirements for local initiatives. The measure also changes the notice requirements for the election of members for district boards, removes vector control districts from the definition of "district" for the purposes of special district elections, and clarifies certain civil penalty procedures. Finally, it eliminates the secrecy envelope requirement if the Secretary of State has approved a different procedure that provides substantially the same degree of secrecy; also allows the county clerk to begin tallying any ballots upon receipt.