

DRAFT

SUMMARY

Digest: The Act sets the date, time and processes for the meeting of electors of the President and Vice President of the United States. (Flesch Readability Score: 60.7).

Provides for the date and time of the convening of electors of the President and Vice President of the United States. Requires the Secretary of State to preside over the convening of electors and to act on behalf of the electors for any duties placed on the electors under federal or state law. Requires the Governor and the Secretary of State to issue a certificate of ascertainment of appointment of electors in accordance with federal law. Establishes the time, date and process for filling any vacancy in the office of elector.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to presidential electors; amending ORS 248.370; and prescribing an
3 effective date.

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

5 **SECTION 1.** ORS 248.370 is amended to read:

6 248.370. (1) The electors of President and Vice President shall convene
7 at the State Capitol on the [*Monday*] **first Tuesday** after the second Wed-
8 nesday in December following their election **at a time to be established**
9 **by the Secretary of State by rule.**

10 (2) **Not later than six days prior to the convening of electors under**
11 **subsection (1) of this section, the Governor and the Secretary of State**
12 **shall issue a certificate of ascertainment of appointment of electors**
13 **as required by 3 U.S.C. 5. The certificate of ascertainment shall con-**
14 **tain a security feature or features for the purpose of verifying the**
15 **authenticity of the certificate. The Secretary of State shall determine**

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 **by rule the form of the security feature or features under this sub-**
2 **section.**

3 (3) If there is any vacancy in the office of an elector caused by death,
4 refusal to act, neglect to attend or otherwise, the electors present [*imme-*
5 *diately*] shall fill [*it*] **the vacancy** by plurality of voice votes **at the time**
6 **and place of the convening of electors under subsection (1) of this**
7 **section. The Governor and the Secretary of State shall issue an**
8 **amended certificate of ascertainment containing the name of any**
9 **elector who fills a vacancy under this subsection.**

10 (4) **Prior to the voice vote to fill a vacancy under subsection (3) of**
11 **this section, a candidate for filling the vacancy shall sign the pledge**
12 **required under ORS 248.355.**

13 (5) When all the electors have appeared [*or the*] **and any** vacancies have
14 been filled, the electors shall **take and subscribe to an oath of office ad-**
15 **ministered by the Secretary of State. Following the taking of the oath**
16 **of office under this subsection, the electors shall** perform the duties re-
17 quired of them by the Constitution and laws of the United States.

18 (6) **The Secretary of State shall preside over the convening of elec-**
19 **tors under this section and shall perform any duty as an administrator**
20 **on behalf of the electors in accordance with the requirements placed**
21 **on electors under federal law and the laws of this state.**

22 **SECTION 2. This 2024 Act takes effect on the 91st day after the date**
23 **on which the 2024 regular session of the Eighty-second Legislative**
24 **Assembly adjourns sine die.**

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