

HB 4021-2
(LC 251)
2/26/24 (DJ/ps)

Requested by HOUSE COMMITTEE ON RULES (at the request of Representative Julie Fahey)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4021**

1 On page 1 of the printed bill, delete lines 4 through 27 and delete page
2 2 and insert:

3 **“SECTION 1.** ORS 188.120 is amended to read:

4 “188.120. (1) If a vacancy in election or office of Representative in Con-
5 gress or United States Senator occurs before the 61st day before the general
6 election, the Governor shall call a special election to fill that vacancy. If a
7 vacancy in election or office of United States Senator occurs after the 62nd
8 day before the general election but on or before the general election, and if
9 the term of that office is not regularly filled at that election, the Governor
10 shall call a special election to fill the vacancy [*as soon as practicable after*
11 *the general election*], **with the special election occurring at least 80 days**
12 **and not more than 150 days after the vacancy occurred.**

13 “(2) If a special election to fill the vacancy in election or office of Rep-
14 resentative in Congress [*or United States Senator*] is called before the 80th
15 day after the vacancy occurs, each major political party shall select its
16 nominee for the office and certify the name of the nominee to the Secretary
17 of State. The Secretary of State shall place the name of the nominee on the
18 ballot.

19 “(3) If a special election to fill the vacancy in election or office of Rep-
20 resentative in Congress or United States Senator is called after the 79th day
21 after the vacancy occurs, a special primary election shall be conducted by

1 the Secretary of State for the purpose of nominating a candidate of each
2 major political party. A declaration of candidacy or nominating petition may
3 be filed not later than the 10th day following the issuance of the writ of
4 election.

5 **“(4)(a) For a vacancy in election or office of United States Senator,**
6 **the Governor shall fill the vacancy by appointment. The Governor**
7 **shall make the appointment required under this subsection no later**
8 **than 30 days after the vacancy occurs.**

9 **“(b) A person appointed under this subsection must:**

10 **“(A) Be a citizen qualified to hold the office; and**

11 **“(B) For at least 180 days before the date on which the vacancy**
12 **occurred, be affiliated with the same political party as the person who**
13 **vacated the office of United States Senator.**

14 **“(c) The political affiliation of a person appointed under this sub-**
15 **section shall be determined in accordance with ORS 236.100.**

16 **“(d) An appointment made under this subsection shall expire when**
17 **the term of office ends or a successor to the office is elected and**
18 **qualified under this section, whichever occurs first.”.**

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