House Bill 3166

Sponsored by Representatives LIVELY, EVANS; Representatives GAMBA, MCLAIN (Presession filed.)

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.** The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Requires that all candidates will be on the same primary ballot. (Flesch Readability Score: 64.9).

Requires all candidates for partisan office and nonpartisan office, regardless of political party affiliation or nonaffiliation, to appear on the same unified primary election ballot, with the five candidates receiving the most votes advancing to the general election ballot. Exempts candidates for President and Vice President of the United States.

A BILL FOR AN ACT

Relating to elections; creating new provisions; amending ORS 3.030, 8.610, 51.230, 171.051, 171.060, 171.068, 188.120, 202.100, 204.005, 236.225, 248.006, 248.008, 248.009, 249.002, 249.013, 249.016, 249.020, 249.021, 249.023, 249.031, 249.035, 249.037, 249.042, 249.046, 249.056, 249.064, 249.072, 249.076, 249.180, 249.205, 249.215, 249.705, 249.712, 249.720, 249.722, 249.735, 249.737, 249.810, 249.830, 249.842, 249.850, 250.042, 251.022, 251.026, 253.540, 253.565, 254.005, 254.056, 254.076, 254.115, 254.135, 254.365, 254.470, 254.555, 254.565, 254.650, 255.345, 258.280 and 260.005; and repealing ORS 236.100, 248.007, 248.012, 248.015, 248.017, 248.019, 248.021, 248.023, 248.024, 248.026, 248.027, 248.029, 248.031, 248.033, 248.035, 248.043, 248.045, 248.072, 248.075, 248.085, 249.048, 249.068, 249.088, 249.091, 249.190, 249.200, 249.740, 254.025 and 254.370.

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

SECTION 1. Sections 4 and 5 of this 2025 Act shall be known and may be cited as the Open Primary Act.

SECTION 2. Sections 4 and 5 of this 2025 Act are added to and made a part of ORS chapter 249.

SECTION 3. ORS 249.002 is amended to read:

249.002. As used in this chapter:

(1) "Candidate" means an individual whose name is or is expected to be printed on the official ballot or a write-in candidate.

(2) "County clerk" means the county clerk or the county official in charge of elections.

(3) "Elector" means an individual qualified to vote under Article II, section 2, Oregon Constitution.

(4) "Judge" means judge of the Supreme Court, Court of Appeals, circuit court or the Oregon Tax Court.

(5) "Member" means an individual who is registered as being affiliated with the political party.

(6) "Minor political party" means a political party that has qualified as a minor political party under ORS 248.008.

(7) "Nonpartisan office" means the office of judge, Commissioner of the Bureau of Labor and

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.

Industries, any elected office of a metropolitan service district under ORS chapter 268, justice of the peace, county clerk, county assessor, county surveyor, county treasurer, county judge who exercises judicial functions, sheriff, district attorney or any office designated nonpartisan by a home rule charter.

(8) "Prospective petition" means the information, except signatures and other identification of petition signers, required to be contained in a completed petition.

(9) "Public office" means any national, state, county, city or district office or position, except a political party office, filled by the electors.

(10) "State office" means Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, judge, state Senator, state Representative or district attorney.

(11) "Voter choice office" means:

(a) The office of United States Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, state Senator and state Representative and any other state, county, city or district office that is not a nonpartisan office nor an office for which nominations to the general election by political parties are expressly authorized by law;

(b) The Commissioner of the Bureau of Labor and Industries; and

(c) Any other state, county, city, regional or district office that the governing body of the jurisdiction designates as a voter choice office.

SECTION 4. (1) All electors shall have the opportunity to vote in the primary election for the nomination of any candidate for a voter choice office, regardless of whether the elector is affiliated with the same political party as the candidate.

(2) Regardless of the political party affiliation of a candidate, all candidates for nomination to a public office shall appear on the same primary election ballot, with the five candidates who receive the most votes being nominated for that office at the general election.

(3) A candidate may not appear on a general election ballot unless the candidate receives not less than one-half of one percent of the total number of votes cast for candidates for that office in the primary election.

(4) Subsections (1) to (3) of this section:

(a) Are subject to the provisions of a home rule charter; and

(b) Do not apply to candidates for President or Vice President of the United States.

SECTION 5. (1) Except as provided in a home rule charter or subsection (2) of this section, for voter choice offices, the five candidates receiving the highest number of votes at the primary election shall be the sole candidates who advance to the general election.

(2) If a vacancy occurs in a nomination for a voter choice office after the primary election and before the 61st day before the general election, the qualified candidate who received the next highest number of votes at the primary election, but not less than one-half of one percent of the total number of votes cast for candidates for that office, shall be the replacement nominee. The chief elections officer, as defined in ORS 254.005, shall file the name of the replacement nominee with each appropriate county clerk.

(3) If a county government redesignates an office from partisan to nonpartisan, that office must continue to be a voter choice office unless the county government designates otherwise.

SECTION 6. ORS 249.013 is amended to read:

249.013. (1) A person may not be a candidate for more than one lucrative office to be filled at the same election.

(2)[*(a)*] A person may not file a nominating petition or declaration of candidacy for more than one lucrative office [*or more than one office of precinct committeeperson*] before the date of the election at which a person will be nominated or elected to each office unless the person first files a written withdrawal, under ORS 249.170, of the person's initial filing.

[*(b) Notwithstanding ORS 249.170, if a person files a declaration of write-in candidacy for an office of precinct committeeperson under ORS 248.019, any prior declaration of candidacy for the office of precinct committeeperson that was filed for that election by the same person is considered withdrawn.*]

(3) If at any time before the date of the election at which a person will be nominated or elected to each office it is determined that a person has filed two or more nominating petitions or declarations of candidacy for any lucrative office [*or two or more nominating petitions or declarations of candidacy for the office of precinct committeeperson*] without written withdrawal or withdrawals intervening, all such filings are invalid and any other filing made by the same person is void.

(4)(a) A person may not be a candidate for more than one position on the same district board to be filled at the same election.

(b) As used in this subsection, "district board" means the governing body of a district as defined in ORS 255.012.

(5) A person may not be a candidate for more than one city office to be filled at the same election.

(6) Notwithstanding any provision of this section, in the case of a vacancy to be filled by election, the same person is eligible for nomination and election to both the unexpired and the succeeding terms. The name of the candidate may be placed on the ballot in both places.

(7) For any incumbent officeholder, the filing deadline for a nominating petition or a declaration of candidacy for an additional term of the same public office, or for filing a withdrawal of the petition or declaration, must be seven days prior to the corresponding filing deadlines for nonincumbent candidates for that public office.

SECTION 7. ORS 249.016 is amended to read:

249.016. A candidate [*of a major political party*] for public office [*or a candidate for nonpartisan office*] shall be nominated only in the manner provided in ORS 249.016 to 249.205.

SECTION 8. ORS 249.020 is amended to read:

249.020. (1) An eligible elector**, regardless of party affiliation or non-affiliation,** may become a candidate for **voter choice office or** nonpartisan office[*, or for the nomination to an office by the major political party of which the elector is a member,*] by filing a nominating petition or a declaration of candidacy.

(2) At the time of filing, a declaration of candidacy shall be accompanied by the filing fee specified in ORS 249.056.

(3) At the time of filing, a nominating petition shall contain the signature sheets described under ORS 249.064.

SECTION 9. ORS 249.023 is amended to read:

249.023. Notwithstanding any provision of this chapter, and except as provided in section 8, Article IV, Oregon Constitution, and section 2, Article V, Oregon Constitution, an otherwise qualified person who will attain the age of 18 years after the deadline for filing a nominating petition or declaration of candidacy for nomination to any [*major political party*] office and on or before the date of the primary election, and who is registered [*as a member of the major political party*] **to vote**

not later than the date of the primary election, is eligible to file a nominating petition for nomination to any [*major political party*] office, to be listed on the ballot and to be nominated for the office, including by write-in votes.

SECTION 10. ORS 249.031 is amended to read:

249.031. (1) [*Except as provided in subsection (2) of this section,*] A nominating petition or declaration of candidacy shall contain:

(a) The name by which the candidate is commonly known. A candidate may use a nickname in parentheses in connection with the candidate's full name.

(b) Address information as required by the Secretary of State by rule.

(c) The office and department or position number, if any, for which the candidate seeks nomination.

[*(d) If the candidate is seeking the nomination of a major political party, the name of the major political party of which the candidate will have been a member, subject to the exceptions stated in ORS 249.046, during at least 180 days before the deadline for filing a nominating petition or declaration of candidacy.*]

(d) If the candidate is seeking nomination for or election to a voter choice office, the names of the political parties that have officially issued endorsements that the candidate has accepted.

(e) A statement that the candidate is willing to accept the nomination or election [*or, regarding a candidate for precinct committeeperson, that the candidate accepts the office if elected*].

(f) A statement that the candidate will qualify if elected.

[*(g) If the candidate is seeking the nomination of a major political party, a statement that the candidate, if not nominated, will not accept the nomination or endorsement of any political party other than the one of which the candidate is a member on the date the petition or declaration is filed.*]

[*(h)*] **(g)** The signature of the candidate.

[*(i)*] **(h)** A statement of the candidate's occupation, educational and occupational background and prior governmental experience.

[*(2) Subsection (1)(i) of this section does not apply to a candidate for election as a precinct committeeperson.*]

[*(3)*] **(2)** The Secretary of State shall ensure that the templates for a nominating petition or declaration of candidacy provide the candidate with the option to:

(a) Provide the candidate's race and ethnicity; and

(b) Limit the public accessibility of the candidate's residence address in the manner set forth in ORS 249.021.

[*(4)*] **(3)** A declaration of candidacy shall include a statement that the required fee is included with the declaration.

[*(5) If required by the national rules of the major political party, the declaration of a candidate for election as a precinct committeeperson shall include the name of the individual the candidate supports for President of the United States or "uncommitted" or "no preference."*]

SECTION 11. ORS 249.037 is amended to read:

249.037. (1) Except as otherwise provided in this section, a nominating petition or declaration of candidacy shall be filed not sooner than the 250th day and not later than the 70th day before the date of the nominating election.

(2) If a vacancy occurs in a partisan elective office **or voter choice office** after the 80th day and before the 70th day before the nominating election, a nominating petition or declaration of

candidacy for that office may be filed not later than the 65th day before the nominating election.

[*(3) A declaration of candidacy for the office of precinct committeeperson shall be filed not sooner than the 250th day and not later than the 70th day before the date of the primary election.*]

SECTION 12. ORS 249.042 is amended to read:

249.042. When an elector files with the appropriate filing officer the statement and prospective petition under ORS 249.061, or a declaration of candidacy, it is conclusive evidence that the elector is a candidate for nomination or election [*by the elector's political party or*] to the [*nonpartisan*] office stated in the petition or declaration.

SECTION 13. ORS 249.056 is amended to read:

249.056. (1) At the time of filing a declaration of candidacy**,** a candidate for the following offices shall pay to the officer with whom the declaration is filed the following fee:

(a) United States Senator, $150.

(b) Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, Representative in Congress, judge of the Supreme Court, Court of Appeals or Oregon Tax Court, or executive officer or auditor of a metropolitan service district, $100.

(c) County officer, district attorney, county judge who exercises judicial functions or circuit court judge, $50.

(d) State Senator or Representative or councilor of a metropolitan service district under ORS chapter 268, $25.

(2) No filing fee [*shall*] **may** be required of persons filing a declaration of candidacy for [*precinct committeeperson or*] justice of the peace **or who have submitted sufficient verified voter signatures to satisfy the requirements of ORS 249.072**.

SECTION 14. ORS 249.064 is amended to read:

249.064. [*(1) A nominating petition of a candidate seeking the nomination of a major political party shall contain a statement that each elector whose signature appears on the petition is a member of the same major political party as is the candidate.*]

[*(2)*] **(1)** A nominating petition of any candidate shall contain the number of signatures of electors required by ORS [*249.068 or*] 249.072 and the residence or mailing address and name or number of the precinct, if known, of each elector whose signature appears.

[*(3)*] **(2)** Pursuant to ORS 249.008, the county clerks or the Secretary of State shall certify the signatures contained in the nominating petition for genuineness.

SECTION 15. ORS 249.072 is amended to read:

249.072. (1) If the nonpartisan **or voter choice** office is to be voted for in the state at large, the nominating petition shall contain at least 1,000 signatures of electors, or a number of signatures of electors equal to at least one percent of the vote cast in the state for all candidates for Governor at the most recent election at which a candidate for Governor was elected to a full term, whichever is less. The signatures shall include those of at least 100 electors registered in each congressional district.

(2) The nominating petition for a nonpartisan **or voter choice** office not provided for in subsection (1) of this section shall contain at least 500 signatures of electors in the electoral district, or a number of signatures of electors equal to at least one percent of the vote cast in the electoral district for all candidates for Governor at the most recent election at which a candidate for Governor was elected to a full term, whichever is less.

SECTION 16. ORS 249.076 is amended to read:

249.076. [*(1) A person who is not a member of the same major political party as the candidate for*

nomination by the major political party may not sign the nominating petition of the candidate.]

[*(2)*] **(1)** Any elector may sign:

(a) A nominating petition or certificate of nomination of any candidate for nonpartisan office **or voter choice office**; **and**

[*(b) A nominating petition or certificate of nomination of any nonaffiliated candidate; and*]

[*(c)*] **(b)** Nominating petitions or certificates of nomination for more than one candidate for the same office.

SECTION 17. ORS 249.205 is amended to read:

249.205. (1) If the only candidate nominated to [*a nonpartisan*] **an** office dies, withdraws or becomes ineligible, or if a vacancy occurs in the [*nonpartisan*] office after the 70th day before the nominating election and on or before the 62nd day before the general election, a candidate for the office may file a declaration of candidacy in the manner provided for [*nonpartisan*] **that** office or shall be nominated by nominating petition in the manner provided for [*nonpartisan*] **that** office.

(2) The Secretary of State by rule may adopt a schedule for filing nominating petitions or declarations of candidacy under this section. The schedule may specify the period within which nominating petitions or declarations of candidacy must be filed after a vacancy occurs.

SECTION 18. ORS 249.215 is amended to read:

249.215. (1) If a vacancy occurs in a state office before the 61st day before the first general election to be held during that term of office, the remaining two years of the term of the state office shall be filled by the electors at that general election.

(2) The remaining two years of the term of the state office shall commence on the second Monday in January following the general election. Any appointment made to fill the vacancy shall expire when a successor to the office is elected and qualified.

(3) Candidates for the remaining two years of the term of the state office under this section shall be nominated as provided in this chapter**.**[*, with major political parties following the procedure set forth in ORS 249.200, except as follows:*]

[*(a) A minor political party, by party rule, or an assembly of electors or individual electors, may select a nominee; and*]

[*(b) The Secretary of State shall accept certificates of nomination and notifications of nominees filed with the secretary pursuant to a schedule for filing set by the secretary, but in any case not later than the 62nd day before the first general election.*]

(4) As used in this section, "state office" means the office of Governor, Secretary of State, State Treasurer, Attorney General and Commissioner of the Bureau of Labor and Industries.

SECTION 19. ORS 249.705 is amended to read:

249.705. A minor political party, assembly of electors or individual electors may nominate [*one candidate for each partisan public office to be filled at the general election*] **electors of President and Vice President of the United States** by preparing and filing a certificate of nomination as provided in ORS 249.712 to 249.850.

SECTION 20. ORS 249.712 is amended to read:

249.712. (1) To complete a nomination **for electors of President and Vice President of the United States**, the nominee must accept the nomination.

(2) The acceptance of the nominee may be indorsed upon the certificate of nomination and signed by the nominee, or it may be indorsed by a letter or telegram from the nominee attached to the certificate and filed with it. If the acceptance does not accompany the certificate of nomination, the nominee, at any time after the certificate is filed and before the time for filing nominations for

the office has expired, may file an acceptance in the same manner and in the same office where the certificate is filed. The officer with whom the acceptance is filed shall indorse it and attach it to the certificate of nomination to which it refers.

SECTION 21. ORS 249.720 is amended to read:

249.720. (1) A certificate of nomination **for electors of President and Vice President of the United States** shall contain:

(a) The name by which the candidate is commonly known. A candidate may use a nickname in parentheses in connection with the full name.

(b) Address information as required by the Secretary of State by rule.

(c) The office, and department or position number if any, for which the candidate is nominated.

(d) The name of the minor political party, if any, that nominated the candidate.

(e) If the candidate is nominated for a partisan office by an assembly of electors or individual electors, the word "nonaffiliated" and a statement that the candidate has not been a member of a major or minor political party during at least 180 days before the deadline for filing the certificate of nomination.

(f) A statement that the candidate will qualify if elected.

(g) The signature of the candidate.

(h) A statement of the candidate's occupation, educational and occupational background and prior governmental experience.

(2) The Secretary of State shall ensure that the template for a certificate of nomination provides the candidate with the option to:

(a) Provide the candidate's race and ethnicity; and

(b) Limit the public accessibility of the candidate's residence address in the manner set forth in ORS 249.021.

(3) [*For certificates of nomination of candidates for electors of President and Vice President of the United States,*] The names of the candidates for President and Vice President the candidates represent may be added to the name of the minor political party or the word "nonaffiliated," as the case may be. The names of all the candidates of a minor political party, or nonaffiliated candidates, for electors of President and Vice President may be upon the same certificate of nomination.

(4) A certificate of nomination made by an assembly of electors shall be signed by the presiding officer and secretary of the nominating convention of the assembly. A certificate of nomination made by a minor political party shall be signed by an officer of the party. An affidavit shall be made on the certificate by the presiding officer and secretary of the nominating convention of the assembly or by the officer of the minor political party and signed and acknowledged by them before a notary public. The affidavit shall be that the statements in the certificate of nomination and related documents are true. With respect to an assembly of electors, the affidavit shall state that the assembly satisfied the requirements of ORS 249.735.

SECTION 22. ORS 249.722 is amended to read:

249.722. [*(1)*] Except as provided in subsection (3) of this section, a certificate of nomination of [*a candidate for public office*] **electors of President and Vice President of the United States** shall be filed not sooner than the 15th day after the date of the primary election and not later than the 70th day before the date of the general election.

[*(2) A certificate of nomination of a candidate for:*]

[*(a) State office, United States Senator or Representative in Congress shall be filed with the Secretary of State.*]

[*(b) County office shall be filed with the county clerk.*]

[*(c) City office shall be filed with the chief city elections officer.*]

[*(3) For a special election, including an election to fill a vacancy that occurs after the 70th day before the general election, the Secretary of State by rule may adopt a schedule specifying the period within which a certificate of nomination must be filed. If the Secretary of State does not adopt a rule under this subsection, a certificate of nomination must be filed before the 61st day preceding the election.*]

SECTION 23. ORS 249.735 is amended to read:

249.735. (1) An assembly of electors is an organized body:

(a) Of not fewer than 1,000 electors of the state for a statewide nomination.

(b) Of not fewer than 500 electors of the congressional district for which the nomination for Representative in Congress is made.

(c) Of not fewer than 250 electors of the county or any other district for which the nomination is made.

(2) An assembly of electors may nominate candidates **for electors of President and Vice President of the United States** at a nominating convention. The convention shall be held in one day and last not longer than 12 hours. The signature, printed name and residence or mailing address of each member of the assembly shall be recorded at the convention and entered of record in the minutes by the secretary of the assembly. Not less than the minimum number of electors required to constitute an assembly of electors must have recorded their signatures in the minutes of the assembly and must be present when the assembly nominates a candidate. The candidate receiving the highest number of votes of the assembly for the office shall be the nominee of the assembly.

(3) Not later than the 10th day before the meeting of an assembly of electors, notice shall be published at least once in not less than three newspapers of general circulation within the electoral district for which the nomination will be made. The notice shall contain the time and place the assembly will meet, the office or offices for which nominations will be made, and the names and addresses of not fewer than 25 electors qualified to vote in the assembly who desire that it be held.

(4) Proof of publication of notice in subsection (3) of this section shall be made by affidavit of the owner, editor, publisher, manager, advertising manager, principal clerk of any of them, or the printer or printer's foreman of the newspaper in which the notice is published. The affidavit shall show publication and shall be filed with the filing officer with the certificate of nomination.

(5) Not later than the 10th day before the meeting of an assembly of electors, a copy of the notice under subsection (3) of this section shall be delivered to the filing officer who will supervise the conduct of the nominating convention.

(6) The presiding officer of an assembly of electors shall deliver the signatures of assembly members entered in the minutes to the appropriate county clerks of the counties in which the assembly members live or to the Secretary of State if the Secretary of State is designated as the filing officer under ORS 249.035. The signatures shall be certified by the appropriate county clerk or by the Secretary of State under ORS 249.008. A copy of the minutes, certified by the secretary of the assembly, and the certificate of the county clerk or the Secretary of State shall be filed with the certificate of nomination.

(7) If the assembly of electors designates a committee to whom the assembly delegated the authority to fill vacancies as provided in ORS 249.842, a notice containing the names of the members of the committee shall be delivered to the filing officer with the certificate of nomination.

SECTION 24. ORS 249.737 is amended to read:

249.737. [*(1)*] The [*filing officer for the office for which nominations will be considered by an assembly of electors*] **Secretary of State** shall supervise the conduct of the nominating convention. The [*filing officer*] **secretary** shall [*insure*] **ensure** that when the assembly of electors makes a nomination, the number of electors required to be present at the nominating convention for the purpose of constituting an assembly is at least equal to each of the following:

[*(a)*] **(1)** The number of signatures of assembly members in the minutes of the assembly.

[*(b)*] **(2)** The number of electors present at the nominating convention.

[*(2) If an assembly of electors will consider nominations for an office for which the Secretary of State is the filing officer and an office for which the county clerk or chief city elections officer is the filing officer, the Secretary of State shall be the supervising officer under subsection (1) of this section.*]

[*(3) If an assembly of electors will consider nominations for an office for which the county clerk is the filing officer and an office for which the chief city elections officer is the filing officer, the county clerk shall be the supervising officer under subsection (1) of this section.*]

SECTION 25. ORS 249.810 is amended to read:

249.810. (1) Immediately after each certificate of nomination **for elector of President and Vice President of the United States** is filed, the [*filing officer*] **Secretary of State** shall enter in the register of nominations:

(a) The date the certificate was filed.

(b) The name of each candidate.

(c) The office for which the candidate is nominated.

(d) When applicable, the name of the minor political party or identification of the assembly of electors making the nomination, and the names of the chairperson and secretary certifying it.

(e) If the certificate of nomination is made by individual electors, the total number of certified signatures contained in the certificate.

(2) As soon as an acceptance or withdrawal of a candidate is filed with a filing officer, it shall be entered in the register of nominations.

SECTION 26. ORS 249.830 is amended to read:

249.830. (1) A person who has been nominated and has accepted the nomination under ORS 249.712 may withdraw from the nomination by filing with the [*officer with whom the certificate of nomination was filed*] **Secretary of State** a written statement declining the nomination and stating the reason for withdrawal.

(2) The statement must be:

(a) Signed by the person withdrawing from the nomination; and

(b) Filed not later than the 67th day before the general election.

[*(3) The statement may be sent to the Secretary of State through a county clerk, as provided by ORS 249.850.*]

SECTION 27. ORS 249.842 is amended to read:

249.842. (1) Subject to subsection (5) of this section, before the date of the general election, a vacancy in a nomination **of elector of President and Vice President of the United States** made by a minor political party may be filled as provided by party rule.

(2) Subject to subsection (5) of this section, before the date of the general election, a vacancy in a nomination **of elector of President and Vice President of the United States** made by an assembly of electors may be filled by:

(a) Reconvening the assembly that made the original nomination to select a new nominee; or

(b) A committee to whom the assembly at its convention delegated the authority to fill vacancies.

(3) An assembly of electors may reconvene under subsection (2) of this section only at the call of the chairperson of the original assembly. An assembly will be considered the assembly that made the original nomination if the chairperson and secretary are the same as those of the original assembly.

(4) Subject to subsection (5) of this section, before the date of the general election, a vacancy in a nomination made by individual electors may be filled by filing a new certificate of nomination. The certificate of nomination to fill the vacancy shall conform with the requirements of ORS 249.720 [*and 249.740*].

(5) The Secretary of State by rule may adopt a schedule specifying the period after a vacancy in a nomination occurs within which a certificate of nomination filling the vacancy must be filed.

SECTION 28. ORS 249.850 is amended to read:

249.850. (1) The certificate of nomination to fill the vacancy under ORS 249.842, may be filed directly with the [*officer with whom the certificate of nomination of the original candidate was filed, or it may be presented in duplicate to any county clerk who shall file one of the certificates in the clerk's office, immediately notify the appropriate filing officer of the nomination and send the duplicate certificate to the officer by the most expeditious method practicable*] **Secretary of State**.

(2) Upon receipt of notification that a vacancy has been filled, the [*filing officer*] **secretary** shall certify the name of the person selected to fill the vacancy to be included on the ballot. If the certification of candidates has already been sent to the county clerk, the secretary [*of State or city filing officer*] immediately shall give written certification of the new candidate to each county clerk responsible for preparing ballots on which the office will appear. The certification shall state the name and residence of the candidate nominated to fill the vacancy, the office for which the nomination was made, the name of the minor political party the candidate represents or the name of the chairperson of the assembly nominating the candidate, and the name of the person for whom the candidate is substituted. Upon receipt of the certification, the county clerk shall place the new candidate's name on the ballot.

SECTION 29. ORS 249.048, 249.068, 249.088, 249.091, 249.190, 249.200 and 249.740 are repealed.

SECTION 30. ORS 3.030 is amended to read:

3.030. Each circuit judge shall hold office for the term for which the circuit judge was elected[*;*]**,** and at the general election [*or, if applicable, at the election specified in ORS 249.088*] next prior to the expiration of the term of office there shall be elected a circuit judge to succeed the circuit judge.

SECTION 31. ORS 8.610 is amended to read:

8.610. A district attorney for each county shall be elected by the electors of the county, at the general election [*or, if applicable, at the election specified in ORS 249.088*] next preceding the expiration of the term of the then incumbent. The district attorney shall hold office for the term of four years and until a successor is elected and qualified.

SECTION 32. ORS 51.230 is amended to read:

51.230. The election at which a justice of the peace shall be elected shall be the general election [*or, if applicable, the election specified in ORS 249.088*] next preceding the expiration of the term of the incumbent of the office.

SECTION 33. ORS 202.100 is amended to read:

202.100. (1) Not later than the 30th day after the Governor issues the proclamation provided for in ORS 199.790 or 202.060, the Governor shall appoint three electors, who must be residents of the new county so formed, to serve as county judge and commissioners for the new county. When the persons appointed accept and qualify for their offices under ORS 204.016 and 204.020, the new county shall have existence as a county and shall be governed by the laws of this state relating to counties. The persons appointed shall serve until the first Monday in January after the general election[*, or, if applicable, after the election specified in ORS 249.088,*] at which their successors are elected.

(2) At the next practicable general election[*, or, if applicable, at the next practicable election specified in ORS 249.088,*] following the appointment, successors to the persons appointed under this section shall be elected. The candidate receiving the highest number of votes shall be elected county judge. If the office of county judge has judicial functions, the candidate shall be elected to a six-year term. If the office of county judge has no judicial functions, the candidate shall be elected to a four-year term. The candidate receiving the second highest number of votes shall be elected to a four-year term as commissioner. The candidate receiving the third highest number of votes shall be elected to a two-year term as commissioner.

(3) The successors shall take office on the first Monday in January next following their election.

(4) At each general election[*, or, if applicable, at each election specified in ORS 249.088,*] following the election at which the first board is elected, a successor shall be elected to fill any expiring term.

SECTION 34. ORS 204.005 is amended to read:

204.005. (1) The following county officers shall be elected at the primary election or general election[*, as provided in ORS 249.088*]:

(a) A sheriff.

(b) A county clerk.

(c) A county assessor.

(d) A county treasurer.

(e) A county commissioner to succeed any commissioner whose term of office expires the following January.

(f) In any county where there is a vacancy from any cause in the office of county commissioner, an additional commissioner to fill the vacancy.

(2) Unless an adopted county charter or a county ordinance provides otherwise, the governing body of a county shall appoint a county surveyor.

SECTION 35. ORS 249.180 is amended to read:

249.180. Any person who has been nominated at a primary election, or any person who has been nominated to fill a vacancy as provided in ORS 188.120 [*or 249.190 and 249.200*], may withdraw from nomination by filing a written statement declining the nomination and stating the reason for withdrawal. The statement shall be signed by the candidate and filed not later than the 67th day before the general election with the officer with whom the candidate's declaration of candidacy or nominating petition was filed.

SECTION 36. ORS 254.005 is amended to read:

254.005. As used in this chapter:

(1) "Ballot" means any material on which votes may be cast for candidates or measures. In the case of a recall election, "ballot" includes material posted in a voting compartment or delivered to an elector by mail.

(2) "Chief elections officer" means the:

(a) Secretary of State, regarding a candidate for a state office or an office to be voted on in the state at large or in a congressional district, or a measure to be voted on in the state at large.

(b) County clerk, regarding a candidate for a county office, or a measure to be voted on in a county only.

(c) City clerk, auditor or recorder, regarding a candidate for a city office, or a measure to be voted on in a city only.

(3) "County clerk" means the county clerk or the county official in charge of elections.

(4) "Elector" means an individual qualified to vote under section 2, Article II, Oregon Constitution.

(5) "Major political party" means a political party that has qualified as a major political party under ORS 248.006.

(6) "Measure" includes any of the following submitted to the people for their approval or rejection at an election:

(a) A proposed law.

(b) An Act or part of an Act of the Legislative Assembly.

(c) A revision of or amendment to the Oregon Constitution.

(d) Local, special or municipal legislation.

(e) A proposition or question.

(7) "Minor political party" means a political party that has qualified as a minor political party under ORS 248.008.

(8) "Nonpartisan office" means the office of judge of the Supreme Court, Court of Appeals, circuit court or the Oregon Tax Court, Commissioner of the Bureau of Labor and Industries, any elected office of a metropolitan service district under ORS chapter 268, justice of the peace, county clerk, county assessor, county surveyor, county treasurer, county judge who exercises judicial functions, sheriff, district attorney or any office designated nonpartisan by a home rule charter.

(9) "Prospective petition" means the information, except signatures and other identification of petition signers, required to be contained in a completed petition.

(10) "Regular district election" means the election held each year for the purpose of electing members of a district board as defined in ORS 255.005 (2).

(11) "Vote tally system" means one or more pieces of equipment necessary to examine and tally automatically the marked ballots.

(12) "Voter choice office" means:

(a) The office of United States Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, state Senator and state Representative and any other state, county, city or district office that is not a nonpartisan office nor an office for which nominations to the general election by political parties are expressly authorized by law;

(b) The Commissioner of the Bureau of Labor and Industries; and

(c) Any other state, county, city, regional or district office that the governing body of the jurisdiction designates as a voter choice office.

[*(12)*] **(13)** "Voting machine" means any device that will record every vote cast on candidates and measures and that will either internally or externally total all votes cast on that device.

SECTION 37. Sections 38 to 40 of this 2025 Act are added to and made a part of ORS chapter 254.

SECTION 38. (1) The provisions of this section are intended to provide electors access to information in the public record about candidates for voter choice offices and the political parties that endorse those candidates, without infringing on the rights of political parties and their members to organize and associate.

(2)(a) For each candidate for a voter choice office, the county clerk shall print on the primary election ballot the name of the candidate with the names of up to three political parties that have official endorsed the candidate, in the order specified by the candidate, preceded by the phrase "Endorsed by:".

(b) The county clerk shall print only those endorsements that have been accepted by the candidate and for which the chief elections officer has received notice not later than the 45th day before the primary election.

(c) The county clerk shall print on every page of a primary election ballot that displays a candidate for voter choice office: "The political party name next to the name of the candidate means that the party recognizes the candidate as acceptable to the party and its membership. It is not an endorsement of the candidate by the party."

(3) For each candidate for a voter choice office, the county clerk shall print on the general election ballot the name of the candidate with the names of up to three political parties that have officially endorsed the candidate, in the order specified by the candidate, preceded by the phrase "Endorsed by:". The county clerk shall print only those endorsements that have been accepted by the candidate and for which the chief elections officer has received notice not later than the 55th day before the date of the general election.

(4) in order to officially endorse candidates for voter choice office, a political party must adopt rules governing the endorsement. The rules shall be filed with the Secretary of State. The rules must ensure the fair and open participation of all interested members of the party in making endorsement decisions and must be adopted not later than 180 days before any election to which the rules would apply.

(5) A political party may officially endorse multiple candidates for the same office.

(6) As used in this section, "political party" means a party qualified as a major or minor political party in this state under ORS chapter 248.

SECTION 39. Except as provided in this 2025 Act, all provisions of state law that apply to elections and ballots for nonpartisan offices also apply to voter choice offices.

SECTION 40. (1) Notwithstanding ORS 254.065, all general elections for voter choice offices must be conducted by a method that enables each voter to assign multiple rankings or multiple ratings to candidates for each office, with the winner or winners to be determined by means of automatic runoff calculations that do not require electors to cast additional ballots.

(2) The Secretary of State shall establish by rule the method described in subsection (1) of this section.

SECTION 41. Section 40 of this 2025 Act applies to general elections after January 1, 2028.

SECTION 42. ORS 254.056 is amended to read:

254.056. (1) The general election shall be held on the first Tuesday after the first Monday in November of each even-numbered year. Except as provided in ORS 254.650, at the general election officers of the state and subdivisions of the state, members of Congress and electors of President and Vice President of the United States as are to be elected in that year shall be elected.

(2) The primary election **for offices other than President and Vice President of the United**

States shall be held on the [*third Tuesday in May*] **first Tuesday of August** of each even-numbered year. [*At the primary election precinct committeepersons shall be elected and major political party candidates shall be nominated for offices to be filled at the general election held in that year.*]

(3) The primary election for major political party nominations for President and Vice President of the United States shall be held on the second Tuesday in March of each year in which a President of the United States is elected.

(4) Not later than the first day of September of the year previous to a year in which a President of the United States is elected, the Secretary of State may adopt a different date for the presidential primary, including in coordination with other states in a regional primary. The adopted date must not be earlier than permitted by the national rules of any major political party.

SECTION 43. ORS 254.076 is amended to read:

254.076. The chief elections officer shall keep a register of candidates for nomination at the primary election. The register, if applicable, shall contain [*for each major political party*]:

[*(1) The title of each office for which the major political party will nominate candidates at the primary election.*]

[*(2)*] **(1)** The name and mailing address of each candidate for nomination at the primary election.

[*(3) The name of the major political party with which the candidate is registered as affiliated.*]

(2) The names of the political parties that have officially issued endorsements that the candidate has accepted.

[*(4)*] **(3)** The date of filing of the prospective petition for nomination of the candidate.

[*(5)*] **(4)** The date of filing of the completed petition for nomination of the candidate, the number of valid signatures contained and the number of signatures required.

[*(6)*] **(5)** The date of filing of the declaration of candidacy of the candidate.

[*(7)*] **(6)** Such other information as may aid the chief elections officer in arranging the official ballot for the primary election.

SECTION 44. ORS 254.115 is amended to read:

254.115. (1) The official primary election ballot shall be styled "Official Primary [*Nominating*] Ballot [*for the* _____ *Party*]." and shall state:

(a) The name of the county for which it is intended.

(b) The date of the primary election.

(c) The names of all candidates for nomination at the primary election **to nonpartisan, voter choice or other office** whose nominating petitions or declarations of candidacy have been made and filed, and who have not died, withdrawn or become disqualified.

[*(d) The names of candidates for election as precinct committeeperson.*]

[*(e) The names of candidates for the party nomination for President of the United States who qualified for the ballot under ORS 249.078.*]

(2) The primary election ballot may include any city, county**, voter choice** or nonpartisan office or the number, ballot title and financial estimates under ORS 250.125 of any measure.

(3)(a) The ballot may not contain the name of any person other than those referred to in subsections (1) and (2) of this section.

(b) The name of each candidate for whom a nominating petition or declaration of candidacy has been filed shall be printed on the ballot in but one place, except in circumstances where a candidate may hold more than one office or nomination without violating ORS 249.013.

(c) In the event that two or more candidates for the same nomination or office have the same

first name and last name, as indicated on the declarations of candidacy or nominating petitions of the candidates, the location of their places of residence shall be printed with their names to distinguish one from another. [*This paragraph does not apply to candidates for precinct committeeperson.*]

(4) In a year in which a President of the United States is elected, the official presidential primary election ballot must be styled "Official Presidential Primary Ballot for the (name of) Party" and must state the name of each candidate for a political party nomination for President of the United States who has qualified for the ballot under ORS 249.078.

SECTION 45. ORS 254.135 is amended to read:

254.135. (1) The official general or special election ballot shall be styled "Official Ballot" and shall state:

(a) The name of the county for which it is intended.

(b) The date of the election.

(c) The names of all candidates for offices to be filled at the election whose nominations have been made and accepted and who have not died, withdrawn or become disqualified. The ballot may not contain the name of any other person.

(d) The number, ballot title and financial estimates under ORS 250.125 of any measure to be voted on at the election.

(2) The names of candidates for President and Vice President of the United States shall be printed in groups together, with their political party designations. The names of the electors may not be printed on the general election ballot. A vote for the candidates for President and Vice President is a vote for the group of presidential electors supporting those candidates and selected as provided by law. The general election ballot shall state that electors of President and Vice President are being elected and that a vote for the candidates for President and Vice President shall be a vote for the electors supporting those candidates.

(3)(a) The name of each candidate nominated shall be printed on the ballot in but one place, without regard to how many times the candidate may have been nominated, except in circumstances where a candidate may hold more than one office or nomination without violating ORS 249.013. [*The name of a political party, or names of political parties, shall be printed with the name of a candidate for other than nonpartisan office according to the following rules:*]

[*(A) For a candidate not affiliated with a political party who is nominated by a minor political party, the name of the minor political party shall be printed with the name of the candidate;*]

[*(B) For a candidate not affiliated with a political party who is nominated by more than one minor political party, the names of not more than three minor political parties selected by the candidate shall be printed with the name of the candidate;*]

[*(C) For a candidate who is a member of a political party who is nominated by a political party of which the candidate is not a member, the name of the political party that nominated the candidate shall be printed with the name of the candidate;*]

[*(D) For a candidate who is a member of a political party who is nominated by more than one political party of which the candidate is not a member, the names of not more than three political parties selected by the candidate shall be printed with the name of the candidate;*]

[*(E) For a candidate who is nominated only by a political party of which the candidate is a member, the name of the political party of which the candidate is a member shall be printed with the name of the candidate; and*]

[*(F) For a candidate who is nominated by a political party of which the candidate is a member and by any political party or parties of which the candidate is not a member, the name of the political party*

of which the candidate is a member and the names of not more than two other political parties selected by the candidate shall be printed with the name of the candidate.]

[*(b) If a candidate is required to select the name of a political party to be printed on the ballot under paragraph (a) of this subsection, the candidate shall notify the filing officer of the selection not later than the 61st day before the day of the election.*]

[*(c)*] **(b)** The word "incumbent" shall be printed with the name of each candidate for the Supreme Court, Court of Appeals, Oregon Tax Court or circuit court who is designated the incumbent by the Secretary of State under ORS 254.085.

[*(d) The word "nonaffiliated" shall be printed with the name of each candidate who is not affiliated with a political party and who is nominated by an assembly of electors or individual electors.*]

[*(e)*] **(c)** If two or more candidates for the same office have the same or similar surnames, **the candidates' occupations or** the location of their places of residence shall be printed with their names to distinguish one from another.

(4) Notwithstanding subsection (3)(a) of this section, the name of a candidate nominated for more than one district office that is to be filled at the same election shall be separately printed upon the ballot for each district office for which the candidate is nominated.

SECTION 46. ORS 254.365 is amended to read:

254.365. (1) An elector is not qualified or permitted to vote at any **presidential** primary election for any candidate of a major political party, and it is unlawful for the elector to offer to do so, unless:

(a) The elector is registered as being affiliated with [*one of*] the major political [*parties*] **party** nominating [*or electing*] its [*candidates*] **candidate** for [*public office*] **President of the United States** at the primary election; or

(b) The elector [*is registered as not being affiliated with any political party and*] wishes to vote in the primary election of a major political party that has provided under subsection (3) of this section for a **presidential** primary election that admits electors not affiliated with [*any*] **that** political party.

(2) Except as provided in ORS 254.470 (3), any elector offering to vote at the **presidential** primary election shall be given a ballot of the major political party with which the elector is registered as being affiliated. The elector may not be given a ballot of any other political party at that primary election. An elector not affiliated with any **major** political party and offering to vote at the **presidential** primary election shall be given the ballot of the major political party in whose **presidential** primary election the elector wishes to vote if that party has provided under subsection (3) of this section for a primary election that admits electors not affiliated with [*any*] **that** political party. An elector not affiliated with [*any*] **that** political party who is given a ballot of the major political party associates with the party for the purpose of voting in that primary election.

(3)(a) Not later than the 90th day before the date of the **presidential** primary election, a major political party may file with the Secretary of State a certified copy of the current party rule allowing an elector not affiliated with [*any*] **that** political party to vote in the party's **presidential** primary election. The party may not repeal the rule as filed during the 90 days before the **presidential** primary election. The rule shall continue to be effective after the date of the **presidential** primary election until the party gives written notice to the Secretary of State that the rule has been repealed. [*Except as provided in paragraph (b) of this subsection, a party rule under this subsection may limit the candidates for whom an elector who is not affiliated with any political party may vote.*]

[*(b) The party rule shall allow any elector who is permitted to vote for the most numerous branch*

of the Legislative Assembly also to vote in federal legislative elections, consistent with section 2, Article I, and the Seventeenth Amendment to the United States Constitution.]

(b) The major political party's rule may specify which categories of electors may vote in the party's presidential primary election, including those electors registered as not affiliated with any political party or members of specified minor political parties.

[*(4) If the primary election ballot includes city, county or nonpartisan offices or measures, and it is given to an elector who is not eligible to vote for party candidates, the ballot shall be marked "non-affiliated."*]

(4) The Secretary of State shall distribute presidential primary election ballots to each elector qualified to vote in that party's presidential primary election on the same basis as for members of that party, without requiring a separate request from the elector.

SECTION 47. ORS 254.470 is amended to read:

254.470. (1) The Secretary of State by rule shall establish requirements and criteria for the designation of places of deposit for the ballots cast in an election. The rules shall also specify the dates and times the places of deposit must be open and the security requirements for the places of deposit. At a minimum, the places designated under this section shall be open on the date of the election for a period of eight or more hours, but must be open until at least 8 p.m. At each place of deposit designated under this section, the county clerk shall prominently display a sign stating that the location is an official ballot drop site.

(2)(a) Except as provided in paragraphs (b) to (e) of this subsection, the county clerk shall mail by nonforwardable mail an official ballot with a return identification envelope and a secrecy envelope not sooner than the 20th day before the date of an election and not later than the 14th day before the date of the election, to each active elector of the electoral district as of the 21st day before the date of the election.

(b) If the county clerk determines that an active elector of the electoral district as of the 21st day before the date of the election does not receive daily mail service from the United States Postal Service, the county clerk shall mail by nonforwardable mail an official ballot with a return identification envelope and a secrecy envelope to the elector not sooner than the 20th day before the date of an election and not later than the 18th day before the date of the election.

(c) In the case of ballots to be mailed to addresses outside this state to electors who are not military or overseas electors, the county clerk may mail the ballots not sooner than the 29th day before the date of the election.

(d) If an active elector of the electoral district requests an absentee ballot because the elector will be absent from the electoral district during the period of time described in paragraph (a) of this subsection, the county clerk may, if the elector's ballot is available:

(A) Allow the elector to receive the elector's ballot in person at the office of the county clerk not sooner than the 43rd day before the date of the election; or

(B) Mail by nonforwardable mail an official ballot with a return identification envelope and a secrecy envelope to the elector not sooner than the 43rd day before the date of the election.

(e) The county clerk is not required to mail a secrecy envelope under this subsection if the Secretary of State has approved a different procedure under ORS 254.458 that provides substantially the same degree of secrecy.

(3) For an election held on the date of a primary election[*:*]

[*(a) The county clerk shall mail the official ballot of a major political party to each elector who is registered as being affiliated with the major political party as of the 21st day before the date of the*

election.]

[*(b) The county clerk shall mail the official ballot of a major political party to an elector not affiliated with any political party if the elector has applied for the ballot as provided in this subsection and that party has provided under ORS 254.365 for a primary election that admits electors not affiliated with any political party.*]

[*(c) An elector not affiliated with any political party who wishes to vote in the primary election of a major political party shall apply to the county clerk in writing. The application must be completed, signed and submitted by the elector electronically, in person or by mail, in a manner determined by the secretary by rule and must indicate which major political party ballot the elector wishes to receive. Except for electors described in subsection (4) of this section, and subject to ORS 247.203, the application must be received by the county clerk not later than 5 p.m. of the 21st day before the date of the election.*]

[*(d) If the primary election ballot includes city, county or nonpartisan offices or measures*], the county clerk shall mail to each elector [*who is not eligible to vote for party candidates*] a ballot limited to those offices and measures for which the elector is eligible to vote.

(4)(a) For each elector who updates a voter registration after the deadline in ORS 247.025, the county clerk shall make the official ballot, the return identification envelope and the secrecy envelope available either by mail or at the county clerk's office or at another place designated by the county clerk. An elector to whom this subsection applies must request a ballot from the county clerk.

(b) The county clerk is not required to make available a secrecy envelope under this subsection if the Secretary of State has approved a different procedure under ORS 254.458 that provides substantially the same degree of secrecy.

(5) The ballot shall contain the following warning:

Any person who, by use of force or other means, unduly influences an elector to vote in any particular manner or to refrain from voting is subject to a fine.

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(6)(a) Upon receipt of any ballot described in this section, the elector shall mark the ballot, sign the return identification envelope supplied with the ballot and comply with the instructions provided with the ballot.

(b) The elector may return the marked ballot to the county clerk by United States mail or by depositing the ballot at the office of the county clerk, at any place of deposit designated by the county clerk or at any location described in ORS 254.472 or 254.474.

(c) The ballot must be returned in the return identification envelope.

(d) Subject to paragraph (e) of this subsection, if a person returns a ballot for an elector, the person shall deposit the ballot in a manner described in paragraph (b) of this subsection not later than two days after receiving the ballot.

(e) If the elector deposits the ballot at the office of the county clerk, at any place of deposit designated by the county clerk or at any location described in ORS 254.472 or 254.474, the ballot must be received at the office of the county clerk, at the designated place of deposit or at any location described in ORS 254.472 or 254.474 not later than the end of the period determined under subsection (1) of this section on the date of the election. If the elector returns the ballot by mail:

(A) The ballot must be received at the office of the county clerk not later than the end of the period determined under subsection (1) of this section on the date of the election; or

(B) The ballot must:

(i) Have a postal indicator showing that the ballot was mailed not later than the date of the election; and

(ii) Be received at the office of the county clerk not later than seven calendar days after the date of the election.

(f) If a county clerk receives a marked ballot for an elector who does not reside in the clerk's county, the ballot shall be forwarded to the county clerk of the county in which the elector resides not later than the eighth day after the election.

(7) The following shall appear on the return identification envelope:

(a) Space for the elector to sign the envelope.

(b) A notice designed by rule by the Secretary of State, in consultation with the county clerks, explaining that by signing the ballot the elector is attesting under penalty of perjury that the ballot was mailed no later than the date of the election.

(c) A summary of the applicable penalties for knowingly making a false statement, oath or affidavit under the election laws.

(8) If the elector returns the ballot by mail, and a postal indicator is not present or legible, the ballot shall be considered to be mailed on the date of the election and may be counted if the ballot is received no later than seven calendar days after the election.

(9) An elector may obtain a replacement ballot if the ballot is destroyed, spoiled, lost or not received by the elector. Replacement ballots shall be issued and processed as described in this section and ORS 254.480. The county clerk shall keep a record of each replacement ballot provided under this subsection. Notwithstanding any deadline for mailing ballots in subsection (2) of this section, a replacement ballot may be mailed, made available in the office of the county clerk or made available at one central location in the electoral district in which the election is conducted. The county clerk shall designate the central location. A replacement ballot need not be mailed after the fifth day before the date of the election.

(10) A ballot shall be counted only if:

(a) It is returned in the return identification envelope;

(b) The envelope is signed by the elector to whom the ballot is issued, unless a certified statement is submitted under ORS 254.431; and

(c) The signature is verified as provided in subsection (11) of this section.

(11) The county clerk shall verify the signature of each elector on the return identification envelope with the signature on the elector's registration record, according to the procedure provided by rules adopted by the Secretary of State. Rules adopted by the secretary under this subsection must limit personnel authorized to verify signatures to the personnel authorized to count ballots under ORS 254.476. If the county clerk determines that an elector to whom a replacement ballot has been issued has voted more than once, the county clerk shall count only one ballot cast by that elector.

(12) At 8 p.m. on election day, electors who are at the county clerk's office, a place of deposit designated under subsection (1) of this section or any location described in ORS 254.472 or 254.474 and who are in line waiting to vote or deposit a voted ballot shall be considered to have begun the act of voting.

(13)(a)(A) Except as provided in subparagraph (B) of this paragraph, the name of the Secretary

of State may not appear in the secretary's official capacity on the return identification envelope or on any instructions or materials included with the ballot if the secretary is a candidate in the election for which the ballot is printed.

(B) This paragraph does not prohibit the name of the Secretary of State from appearing in the secretary's official capacity in the voters' pamphlet.

(b) The name of the county clerk or other filing officer may not appear in the official capacity of the county clerk or filing officer on the return identification envelope or on any instructions or materials included with the ballot if the county clerk or filing officer is a candidate in the election for which the ballot is printed.

(c) As used in this subsection, "filing officer" has the meaning given that term in ORS 254.165.

(14) As used in this section, "postal indicator" means a postmark or other indicator on a mailed ballot, identified by the Secretary of State by rule, that demonstrates the date or time at which a ballot was mailed.

SECTION 48. ORS 254.555, as amended by section 6, chapter 56, Oregon Laws 2024, is amended to read:

254.555. (1) Except as provided in ORS 254.548 or as necessary to comply with federal law concerning the issuance of a certificate of ascertainment of presidential electors, not later than the 37th day after any election, the Secretary of State, regarding offices for which the secretary receives filings for nomination, shall:

(a) Canvass the votes for the offices, except the office of Governor after the general election.

(b) Enter in a register of nominations after the primary election the name [*and, if applicable, major political party*] of each candidate nominated, the office for which the candidate is nominated**, the names of the political parties that have officially issued endorsements that the candidate has accepted** and the date of entry.

(c) Prepare and deliver a certificate of nomination or election to each candidate having the most votes for nomination for or election to the office **other than a voter choice office**. The Secretary of State shall sign the certificate under the seal of the state.

(d) Issue a proclamation declaring the election of candidates to the offices.

(e) Prepare and deliver the certificates of nomination to the five candidates for a voter choice office who received the highest number of votes at the nominating election with not less than one-half of one percent of the total number of votes cast for that office.

(2) Not later than the 30th day after the election:

(a) The Secretary of State, regarding measures for which the secretary is the filing officer, shall canvass the votes for each measure.

(b) The Governor shall issue a proclamation giving the number of votes cast for or against each such measure, and declaring the approved measures as the law on the effective date of the measure. If two or more approved measures contain conflicting provisions, the Governor shall proclaim which is paramount.

SECTION 49. ORS 254.565 is amended to read:

254.565. Subject to ORS 254.548, the chief city elections officer:

(1) After the primary election, shall enter in a register of nominations:

(a) The name of each candidate for city office nominated at the primary election.

(b) The office for which the candidate is nominated.

(c) If applicable, the [*name of the major political party nominating the candidate*] **names of the political parties that have officially issued endorsements that the candidate has accepted**.

(d) The date of the entry.

(2) After the general election, shall prepare and deliver a certificate of election to each qualified candidate having the most votes for election to a city office.

(3) Not later than the 40th day after any election, shall canvass the vote on each city measure, and if two or more of the approved measures contain conflicting provisions, proclaim which is paramount.

SECTION 50. ORS 254.650 is amended to read:

254.650. (1) If the Secretary of State determines that [*a vacancy exists in the nomination of*] a candidate [*of a major political party*] for state office[*, that the vacancy is due to the death of the candidate and that the vacancy occurred*] **has died** after the 47th day before the date of the general election**, if the deceased candidate was the only nominee for the office**:

(a) The election for that state office may not be held at the general election;

(b) The county clerks may not count ballots cast for candidates for that state office at the general election; and

(c) The Secretary of State shall order a special election as provided in ORS 254.655.

(2) The candidates listed on the ballot at the special election shall be:

(a) The candidates who were listed on the general election ballot, other than the candidate whose nomination became vacant; and

(b) The candidate selected to fill the vacancy in the nomination as provided in ORS [*249.190 or*] 249.205.

(3) If the Secretary of State determines that a candidate for state office has died after the 47th day before the date of the general election, if the deceased candidate was not the only nominee for the office:

(a) The election for that state office must be held at the general election, and the name of the deceased candidate must appear on the ballot;

(b) The county clerks shall count ballots cast for candidates for that state office at the general election, including any ballot cast for the deceased candidate; and

(c) If the deceased candidate receives the most votes, the office shall be filled through the process for filling vacancies for that office.

[*(3)*] **(4)** As used in this section "state office" means the office of Governor, Secretary of State, State Treasurer, Attorney General, state Senator or state Representative.

SECTION 51. ORS 254.025 and 254.370 are repealed.

SECTION 52. ORS 248.008 is amended to read:

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

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

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

(C) Before circulating the petition, the chief sponsor of the petition must file with the Secretary

of State a signed copy of the prospective petition. The chief sponsor must include with the prospective petition a statement declaring whether one or more persons will be paid money or other valuable consideration for obtaining signatures of electors on the petition. After the prospective petition is filed, the chief sponsor must notify the filing officer not later than the 10th day after the chief sponsor first has knowledge or should have had knowledge that:

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

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

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

(E) The Secretary of State shall verify whether the petition contains the required number of signatures of electors. The Secretary of State may not accept a petition for filing if it contains less than 100 percent of the required number of signatures. The Secretary of State by rule shall designate a statistical sampling technique to verify whether a petition contains the required number of signatures of electors. A petition may not be rejected for the reason that it contains less than the required number of signatures unless two separate sampling processes both establish that the petition lacks the required number of signatures. The second sampling must contain a larger number of signatures than the first sampling. The Secretary of State may employ professional assistance to determine the sampling technique. The statistical sampling technique may be the same as that adopted under ORS 250.105.

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

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

(B) Any single [*state*] **voter choice** office to be voted upon in the state at large [*for which nominations by political parties are permitted by law*] at the most recent election at which a candidate for the office was elected to a full term.

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

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

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

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

[*(b)(A)*] **(B)(i)** Following each general election, at any time during the period beginning on the **60th day before the** date of the next primary election and ending on the 90th day before the next general election, a number of electors equal to at least one-tenth of one percent of the total votes cast in the state or electoral district for all candidates for Governor at the most recent election at

which a candidate for Governor was elected to a full term must be registered as members of the party; and

[*(B)*] **(ii)** At least once in a four-year period, a candidate or candidates [*of*] **endorsed by** the party must poll at least one percent of the total votes cast in the electoral district **at the primary election or at the general election** for all candidates for:

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

[*(ii)*] **(II)** Any single [*state*] **voter choice** office to be voted upon in the state at large [*for which nominations by political parties are permitted by law at the most recent election at which a candidate for the office was elected to a full term*].

(b) If the primary or general election employs a method that allows electors to rank multiple candidates for an office, followed by an automatic runoff, the affiliation of electors or minor party shall receive credit for the highest number of votes received by any endorsed candidate at any stage of the vote tabulation process.

(c) If the primary or general election employs a method that allows an elector to assign the same rating to multiple candidates for an office, the affiliation of electors or minor party shall receive credit for a vote, if on that elector's ballot the candidate received the highest rating given for the office. If multiple candidates receive the highest rating, each candidate shall receive credit for one vote.

(5) An affiliation of electors that fails to maintain status as a minor political party ceases to be a minor political party on the [*90th*] **60th** day before the date of the next general election.

(6) During the period beginning on the **60th day before the** date of the primary election and ending on the 90th day before the date of the general election, the Secretary of State shall determine at least once each month whether registration requirements to maintain status as a minor political party have been satisfied.

(7) If a minor political party changes its name, only those electors who register on or after the effective date of the name change as members of the party under the new party name shall be counted as members of the party. **If two or more minor parties merge, the members of each merging party must be counted as members of the merged party.**

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

(8) If a candidate is listed on the ballot as endorsed by more than one party, the candidate shall specify, on or before the 60th day before the date of the election, which party must receive credit for the votes received by the candidate.

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

SECTION 53. ORS 248.009 is amended to read:

248.009. (1) A minor political party shall file with the filing officer a copy of its organizational documents establishing its process for nominating candidates for [*public office*] **President and Vice President of the United States**. The organizational documents shall be filed not later than 30 days after they are adopted. The nominating process for candidates for election at the general election shall provide an equal opportunity to all registered members of the party within the electoral district to participate in the process of making nominations or selecting the delegates who will make

the nominations. A minor political party shall file copies of any changes to its organizational documents relating to nomination of candidates for public office not later than 30 days after the date any changes were made. The minor political party shall nominate candidates for public office only in accordance with the procedures set forth in its organizational documents.

(2) A minor political party shall file with the filing officer a list of any officers selected by the party. The list shall be filed not later than 10 days after any selection is made. A minor political party shall file copies of any changes to the list of officers not later than 10 days after the date any changes were made.

(3) Not later than the 10th day before any nominating convention of a minor political party, [*notice shall be published at least once in not fewer than three newspapers of general circulation within the electoral district for which the nomination will be made. If there are fewer than three newspapers of general circulation within the electoral district, notice shall be published at least once in one newspaper of general circulation within the electoral district for which the nomination will be made and other public notice shall be given that is reasonably calculated to assure that party members in the electoral district receive notice of the convention. The notice shall contain the time and place of the convention, and the office or offices for which nominations will be made.*] **the party shall publish reasonable notice of the convention, including the time and place of the convention, to the party's members.**

SECTION 54. ORS 248.007, 248.012, 248.015, 248.017, 248.019, 248.021, 248.023, 248.024, 248.026, 248.027, 248.029, 248.031, 248.033, 248.035, 248.043, 248.045, 248.072, 248.075 and 248.085 are repealed.

SECTION 55. ORS 171.051 is amended to read:

171.051. (1) When any vacancy occurs in the Legislative Assembly due to death or recall or by reason of resignation filed in writing with the Secretary of State or a person is declared disqualified by the house to which the person was elected, the vacancy shall be filled by appointment if:

(a) The vacancy occurs during any session of the Legislative Assembly;

(b) The vacancy occurs in the office of a state Representative before the 61st day before the general election to be held during that term of office;

(c) The vacancy occurs in the office of a state Senator before the 61st day before the first general election to be held during that term of office;

(d) The vacancy occurs in the office of a state Senator at any time after the 62nd day before the first general election and before the 61st day before the second general election to be held during that term of office; or

(e) A special session of the Legislative Assembly will be convened before a successor to the office can be elected and qualified.

(2) The person appointed under the provisions of subsection (1) of this section shall be a citizen qualified to hold the office[,] **and** an elector of the affected legislative district [*and a member of the same political party for at least 180 days before the date on which the vacancy occurred. The political affiliation of a person appointed under subsection (1) of this section shall be determined under ORS 236.100*]. The appointment shall be made by the county courts or boards of county commissioners of the affected counties pursuant to ORS 171.060 to 171.064. When the provisions of ORS 171.060 (1) are applicable, the appointment shall be made from a list of not fewer than three nor more than five nominees who have signed written statements indicating that they are willing to serve furnished by the Secretary of State. If fewer than three names of nominees are furnished, a list shall not be considered to have been submitted and the county courts or boards of county commissioners shall

fill the vacancy. The vacancy must be filled by appointment within 30 days after its occurrence or not later than the time set for the convening of the special session described in subsection (1)(e) of this section when that is the basis for filling the vacancy.

(3) If the appointing authority required by this section to fill the vacancy does not do so within the time allowed, the Governor shall fill the vacancy by appointment within 10 days.

(4) Notwithstanding any appointment under the provisions of subsection (1)(c) of this section, when a vacancy occurs in the office of a state Senator before the 61st day before the first general election to be held during that term of office, the remaining two years of the term of office shall be filled by the electors of the affected legislative district at the first general election.

(5) Candidates for the remaining two years of the term of office of a state Senator under subsection (4) of this section shall be nominated as provided in ORS chapter 249[*, with major political parties following the procedure set forth in ORS 249.200, except as follows:*]

[*(a) A minor political party, assembly of electors or individual electors may select a nominee for any vacancy occurring before the 61st day before the first general election; and*]

[*(b) The Secretary of State shall accept certificates of nomination and notifications of nominees selected at a primary election or by party rule and filed with the secretary pursuant to a schedule for filing set by the Secretary of State but in any case not later than the 62nd day before the first general election*].

(6) The remaining two years of the term of office of a state Senator under subsection (4) of this section will commence on the second Monday in January following the general election. Any appointment under the provisions of subsection (1)(c) of this section shall expire when a successor to the office is elected and qualified.

SECTION 56. ORS 171.060 is amended to read:

171.060. (1)**(a)** When any vacancy as is mentioned in ORS 171.051 exists in the office of Senator or Representative [*affiliated with a major political party*] and that vacancy is to be filled by an appointing authority as provided in ORS 171.051, the Secretary of State forthwith shall notify [*the person designated by the party to receive such notice.*] **each party that endorsed the departing Senator or Representative as a candidate in the previous primary election for that office or endorsed the departing Senator or Representative as a candidate in the previous general election for that office.**

(b) A party that may nominate candidates to fill the vacancy are the qualified parties. If one or more parties endorsed the departing Senator or Representative as a candidate in the previous general election for that office, those shall be the qualified parties. If no parties endorsed the departing Senator or Representative as a candidate in the previous general election for that office, the parties that endorsed the departing Senator or Representative as a candidate in the previous primary election for that office shall be the qualified parties.

(c) [*The*] **Each qualified** party shall pursuant to party rule nominate not fewer than three nor more than five qualified persons to fill the vacancy. The nominating procedure shall reflect the principle of one-person, one-vote to accord voting weight in proportion to the number of party members represented. At the request of a party making a nomination, the county clerks of each county constituting the district in which the vacancy exists shall assist the party in determining the number of electors registered as members of the party in the district. A person shall not be nominated to fill the vacancy unless the person signs a written statement indicating that the person is willing to serve in the office of Senator or Representative. As soon as the nominees have been appointed, but no later than 20 days after the vacancy occurs, the party **or parties** shall notify the

Secretary of State of the persons nominated. The notification shall be accompanied by the signed written statement of each nominee indicating that the nominee is willing to serve in the office of Senator or Representative. The Secretary of State shall notify the county courts or boards of county commissioners of the counties constituting the district in which the vacancy exists of the nominees and of the number of votes apportioned to each member of the county courts or boards of county commissioners under ORS 171.062 and 171.064. The Secretary of State shall set a time for the meeting of the county courts or boards of county commissioners in order to fill the vacancy and by rule shall establish procedures for the conduct of the meeting. If the district is composed of more than one county, the Secretary of State shall name a temporary chairperson and designate a meeting place within the district where the county courts or boards of county commissioners shall convene for the purpose of filling the vacancy, pursuant to ORS 171.051 (2).

(2) When any vacancy as is mentioned in ORS 171.051 exists in the office of Senator or Representative [*not affiliated with a major*] **when the departing Senator or Representative was not endorsed in the prior general election for that office or in the prior primary election for that office by any** political party and that vacancy is to be filled by an appointing authority as provided in ORS 171.051, the Secretary of State forthwith shall notify the county courts or boards of county commissioners of the counties constituting the district in which the vacancy occurs of the vacancy and of the number of votes apportioned to each member of the county courts or boards of county commissioners under ORS 171.062 and 171.064. The Secretary of State shall set a time for a meeting of the county courts or boards of county commissioners and by rule shall establish procedures for the conduct of the meeting. If the district is composed of more than one county, the Secretary of State shall name a temporary chairperson and designate a meeting place within the district where the county courts or boards of county commissioners shall convene for the purpose of appointing a person to fill the vacancy.

(3) A written statement signed by a majority of those qualified to vote upon the filling of any vacancy naming the person selected to fill the vacancy and directed to the Secretary of State is conclusive evidence of the filling of the vacancy by the appointing authority named therein.

SECTION 57. ORS 171.068 is amended to read:

171.068. (1) For purposes of ORS 171.060, 171.062 and 171.064, the county court or the board of county commissioners which shall fill the vacancy in the Legislative Assembly in a district created by reapportionment shall be the county court or board of county commissioners of each county any part of which is in the district that is created by the reapportionment and includes the residence from which the former Senator or Representative was elected.

[*(2) Each person nominated by a major political party to fill a vacancy in the Legislative Assembly occurring as described by ORS 171.051 in a district created by reapportionment must be registered to vote in the district from which the former Senator or Representative was elected and must have been a member of the same major political party at least 180 days before the date the vacancy to be filled occurred.*]

[*(3)*] **(2)** This section shall apply only to a vacancy in the Legislative Assembly occurring after the primary election next following reapportionment and before a person has been elected and qualified to fill the vacancy.

SECTION 58. ORS 188.120 is amended to read:

188.120. (1) If a vacancy in election or office of Representative in Congress or United States Senator occurs before the 61st day before the general election, the Governor shall call a special election to fill that vacancy. If a vacancy in election or office of United States Senator occurs after

the 62nd day before the general election but on or before the general election, and if the term of that office is not regularly filled at that election, the Governor shall call a special election to fill the vacancy as soon as practicable after the general election.

(2) If a special election to fill the vacancy in election or office of Representative in Congress or United States Senator is called before the 80th day after the vacancy occurs, [*each major political party shall select its nominee for the office and certify the name of the nominee to the Secretary of State. The Secretary of State shall place the name of the nominee on the ballot*] **nominations to the election shall take the form of a declaration of candidacy or nominating petition, which may be by any otherwise eligible person**.

(3) If a special election to fill the vacancy in election or office of Representative in Congress or United States Senator is called after the 79th day after the vacancy occurs, a special primary election shall be conducted by the Secretary of State for the purpose of nominating [*a candidate of each major political party*] **candidates to the special election called to fill the vacancy**. A declaration of candidacy or nominating petition may be filed not later than the 10th day following the issuance of the writ of election. **The primary election must be conducted as a voter choice primary election.**

(4) Special elections and special primary elections for voter choice office under this section shall be conducted as elections for voter choice office, except that the Secretary of State may accept nominating petitions, declarations of candidacy and party endorsements according to a schedule for filing set by the secretary.

SECTION 59. Section 60 of this 2025 Act is added to and made a part of ORS chapter 236.

SECTION 60. (1) Notwithstanding ORS 171.051, 171.060, 171.068, 236.215 and 236.217, whenever a vacancy exists in any voter choice office in this state and is to be filled by appointment, a person who is otherwise eligible may be appointed to fill the vacancy regardless of the person's affiliation or lack of affiliation with a political party.

(2) Whenever a vacancy exists in any voter choice office and is to be filled by election, the election procedure for voter choice office must be followed.

SECTION 61. ORS 236.100 is repealed.

SECTION 62. ORS 251.022 is amended to read:

251.022. (1) If a special election or special primary election is held under ORS 188.120 for the purpose of filling a vacancy in election or office of United States Senator or Representative in Congress, [*or for nominating a candidate of each major political party to fill the vacancy,*] the Secretary of State shall prepare a voters' pamphlet for each election.

(2) A voters' pamphlet prepared under subsection (1) of this section shall contain information about the candidates for nomination or election to the office of United States Senator or Representative in Congress at the special election or special primary election.

SECTION 63. ORS 251.026, as amended by section 2, chapter 55, Oregon Laws 2024, is amended to read:

251.026. (1) The Secretary of State shall prepare and have printed in the voters' pamphlet for the state primary election, the general election and any special election described in ORS 251.022 a statement containing, if applicable:

(a) Requirements for a citizen to qualify as an elector.

(b) When an elector is required to register or update a registration.

[*(c) In the voters' pamphlet for the primary election, a statement of the duties and responsibilities of a precinct committeeperson to be elected at the primary election.*]

[*(d)*] **(c)** Any other information the Secretary of State considers relevant to the conduct of the election.

(2) The Secretary of State, in cooperation with the county clerks, shall include:

(a) A statement on the cover of the voters' pamphlet that the pamphlet may be used to assist electors in voting; and

(b)(A) Statements in the information section of the voters' pamphlet on the pages immediately following the page containing the Secretary of State letter, to the extent reasonably practicable, that, for residents of each county to which the voters' pamphlet is distributed:

(i) Are written in English and the 10 additional common languages for the county listed by the Secretary of State under ORS 251.167;

(ii) Explain that an electronic copy of portions of the voters' pamphlet is publicly available in that language; and

(iii) Provide the website address to the translated voters' pamphlet.

(B) The statements required under subparagraph (A) of this paragraph must be written so as to be clearly readable.

(C) The Secretary of State may adopt rules necessary to implement this paragraph.

(3) The Secretary of State may include in the voters' pamphlet the following information:

(a) Maps showing the boundaries of senatorial and representative districts.

(b) Voter registration forms.

(c) Elector instructions, including the right of an elector to request a second ballot if the first ballot is spoiled and the right of an elector to seek assistance in marking the ballot.

(4)(a) The name of the county clerk or other filing officer may not appear in the voters' pamphlet in the county clerk's or filing officer's official capacity if the county clerk or filing officer is a candidate in the election for which the voters' pamphlet is printed.

(b) As used in this subsection, "filing officer" has the meaning given that term in ORS 254.165.

(5) For each primary election candidate statement, the Secretary of State shall prominently display the names of the political party official endorsements that the candidate has accepted and wishes to display, in the order specified by the candidate, preceded by the phrase "Endorsed by:".

(6) For each general election candidate statement, the Secretary of State shall prominently display the names of the political party official endorsements that the candidate has accepted and wishes to display, in the order specified by the candidate, preceded by the phrase "Endorsed by:".

SECTION 64. ORS 253.540 is amended to read:

253.540. (1) Any military or overseas elector may secure a ballot by submitting an application as specified in subsection (2) of this section to the clerk of the county of the military or overseas elector's residence, or to the Secretary of State. If the application is addressed to the Secretary of State, the secretary shall forward it to the appropriate county clerk.

(2) An application for a ballot by a military or overseas elector shall be made in the form of a written request and may be submitted by mail, electronic mail, a facsimile machine or other means identified by the Secretary of State by rule. The application shall be valid for every subsequent election until the elector otherwise notifies the clerk or is no longer an elector of the county. The application shall be signed by the applicant and contain:

(a) The name and current mailing address of the applicant;

(b) A statement that the applicant is a citizen of the United States;

(c) A statement that the applicant will be 18 years of age or older on the date of the election;

(d) A statement that for more than 20 days preceding the election the applicant's home residence has been in this state, and giving the address of the last home residence;

(e) A statement of the facts that qualify the applicant as a military or overseas elector or as the spouse or a dependent of a military or overseas elector;

(f) A statement that the applicant is not requesting a ballot from any other state and is not voting in any other manner in the election except by the requested ballot; and

(g) If the applicant desires to vote in a **presidential** primary election, a designation of the applicant's political party affiliation or a statement that the applicant is not affiliated with any political party. An applicant not affiliated with any political party may request a ballot for a major political party. The applicant shall be sent the ballot for the political party that the applicant requested if that political party has provided under ORS 254.365 for a primary election that admits electors not affiliated with [*any*] **that** political party.

SECTION 65. ORS 253.565 is amended to read:

253.565. (1) Any military or overseas elector may secure a special ballot for a primary election or general election by making an application under this section if the elector believes that:

(a) The elector will be residing, stationed or working outside the territorial limits of the United States and the District of Columbia; and

(b) The elector will be unable to vote and return a regular ballot by normal mail delivery within the period provided for regular absent electors.

(2) A military or overseas elector shall make the application for a special ballot in the form of a written request, which may be submitted by mail, electronic mail, a facsimile machine or other means identified by the Secretary of State by rule. The elector shall submit the application before the date of the applicable election to the clerk of the county of the military or overseas elector's residence or to the Secretary of State. If the application is addressed to the Secretary of State, the secretary shall forward it to the appropriate county clerk. The application shall be signed by the applicant and contain:

(a) The name and current mailing address of the applicant;

(b) A designation of the election for which the applicant requests a special ballot;

(c) A statement that the applicant is a citizen of the United States;

(d) A statement that the applicant will be 18 years of age or older on the date of the election;

(e) A statement that for more than 20 days preceding the election the applicant's home residence has been in this state, and giving the address of the last home residence;

(f) A statement of the facts that qualify the applicant as a military or overseas elector or as the spouse or a dependent of a military or overseas elector;

(g) A statement of the facts that qualify the applicant to vote by means of a special ballot;

(h) A statement that the applicant is not requesting a ballot from any other state and is not voting in any other manner in the election except by the requested special ballot; and

(i) If the applicant requests a ballot for a **presidential** primary election, a designation of the applicant's political party affiliation or a statement that the applicant is not affiliated with any political party. An applicant not affiliated with any political party may request a ballot for a major political party. The applicant shall be sent the ballot for the political party that the applicant requested if that political party has provided under ORS 254.365 for a primary election that admits electors not affiliated with [*any*] **that** political party.

(3) An application for a special ballot shall be valid only for the election specified in the appli-

cation.

(4) The county clerk shall list on the special ballot the offices and measures scheduled to appear on the regular ballot, if known when the ballot is prepared, and provide space in which the elector may write in the elector's preference.

(5) The elector may write in the name of any eligible candidate for each office to be filled or for which nominations will be made at the election, and may vote on any measure submitted at the election.

SECTION 66. ORS 255.345 is amended to read:

255.345. (1) Except as provided in subsection (2) of this section, a special election called by a district elections authority shall not be held on any date other than:

(a) The second Tuesday in March;

(b) The third Tuesday in May;

(c) The [*fourth*] **first** Tuesday in August; or

(d) The first Tuesday after the first Monday in November.

(2) A special election may be held on a date other than that provided in subsection (1) of this section, if the district elections authority by resolution finds that an election sooner than the next available election date is required on a measure to finance repairs to property damaged by fire, vandalism or a natural disaster.

(3) As used in this section, "district elections authority" means the body or officer authorized or required to call an election for a public corporation formed under, and deriving its powers solely from, the statutes of this state, but does not include a city or county.

SECTION 67. ORS 258.280 is amended to read:

258.280. (1) The Secretary of State shall order a full recount of the votes cast for nomination or election to a public office for which the Secretary of State is the filing officer, and the county clerk who conducted the election shall order a full recount of the votes cast for nomination or election to any other public office if the canvass of votes of the election reveals that[*:*]

[*(a) Two or more candidates for that nomination or office have an equal and the highest number of votes; or*]

[*(b) The*] **the** difference in the number of votes cast for a candidate apparently nominated or elected to the office and the votes cast for the closest apparently defeated opponent is not more than one-fifth of one percent of the total votes for both candidates.

(2)[*(a)*] Unless otherwise provided by a home rule charter, [*at an election described in ORS 249.088,*] the Secretary of State shall order a full recount of the votes cast for nomination or election to a nonpartisan office for which the Secretary of State is the filing officer, and the county clerk who conducted the election shall order a full recount of the votes cast for nomination or election to any other nonpartisan office, if the canvass of votes of the election reveals that the number of votes cast for a candidate differs from a majority of votes cast for the office by not more than one-fifth of one percent of the total votes cast for the office.

[*(b) This subsection does not apply to the office of sheriff, the office of county clerk, the office of county treasurer or a candidate to fill a vacancy, as described in ORS 249.091.*]

(3) The cost of a full recount conducted under this section shall be paid by the county for a county office, by the city for a city office, by the special district for a special district office or by the state for any other office.

SECTION 68. ORS 236.225 is amended to read:

236.225. (1) If vacancies exist at the same time in all of the offices of members of a county

governing body, two qualified persons shall be appointed by the Governor, and one by the appointees of the Governor, to perform the duties of the offices until the vacancies are filled as provided by law. If vacancies exist at the same time in all but one of such offices, the Governor shall appoint one qualified person who, with the incumbent serving in office, shall appoint another, each to perform the duties of the offices until the vacancies are filled. If county judge is one of the offices vacant, one of the appointments made by the Governor under this section shall be to the office of county judge.

(2) When a county charter establishes a county governing body with more than three members, if a number of vacancies exist at the same time in the offices of members of that governing body so that all the remaining members do not constitute a quorum for the conduct of county business, the Governor shall appoint to the vacant offices the minimum number of qualified persons sufficient, with the incumbent members of the county governing body, to form a quorum. Persons appointed by the Governor under this subsection, together with the incumbent members serving in office, shall appoint qualified persons to the remaining vacant offices. All persons appointed under this subsection shall perform the duties of the office of member of the county governing body until the vacancies are filled as provided by law.

[*(3) ORS 236.100 applies to appointments under this section.*]

SECTION 69. ORS 248.006 is amended to read:

248.006. (1) An affiliation of electors becomes a major political party in this state and is qualified to make nominations at a primary election when a number of electors equal to at least five percent of the number of electors registered in this state are registered as members of the party not later than the 275th day before the date of a primary election. [*An affiliation of electors satisfying the requirements of this subsection shall be subject to the provisions of ORS 248.007 on the date the Secretary of State determines the registration requirements are satisfied.*]

(2) The number of electors described in subsection (1) of this section shall be calculated based on the number of electors registered in this state and eligible to vote, as reported on the official abstracts of the election, at the general election immediately preceding the deadline specified in subsection (1) of this section.

(3) After an affiliation of electors becomes a major political party under subsection (1) of this section, [*in order to maintain status as a major political party subject to ORS 248.007,*] the party must satisfy the registration requirement of subsection (1) of this section not later than the 275th day before each primary election.

(4) An affiliation of electors ceases to be a major political party if the registration requirements of subsection (1) of this section are not satisfied by the 275th day before each primary election. The affiliation of electors ceases to be a major political party on the date the Secretary of State determines that the registration requirement is not satisfied.

(5) When an affiliation of electors has not satisfied the registration requirement of subsection (1) of this section for the first time, at the request of a representative of the affiliation of electors, the Secretary of State shall determine not less than once each month whether at least five percent of the number of eligible electors registered in this state are registered as members of the party. After an affiliation of electors has qualified as a major political party, the Secretary of State shall determine on the 271st day before each primary election whether the major political party has satisfied the registration requirements described in subsection (3) of this section.

SECTION 70. ORS 249.021 is amended to read:

249.021. (1)(a) The Secretary of State by rule shall establish a new provision that must be added

to every nominating petition or declaration of candidacy used for public office. The provision established under this section shall:

(A) Allow each candidate for public office to check a box indicating that the candidate does not want the residence address of the candidate to be disclosed on:

(i) Publicly accessible versions of the nominating petition or declaration of candidacy used by the candidate; or

(ii) A list of electors delivered under ORS 247.940 or 247.945; and

(B) Require that each candidate who chooses to check the box described in subparagraph (A) of this paragraph includes an alternative mailing address that will be included on each list of electors delivered under ORS 247.940 or 247.945.

(b) The residence address of a candidate who checks the box described in paragraph (a)(A) of this subsection:

(A) May not be visible on any publicly accessible nominating petition or declaration of candidacy;

(B) May not be disclosed on a list of electors delivered under ORS 247.940 or 247.945 until:

(i) The relevant filing officer determines that the person is no longer a candidate for the public office described in the nominating petition or declaration of candidacy and was not elected to that public office;

(ii) The relevant filing officer determines that a candidate who is elected to the public office described in the nominating petition or declaration of candidacy ceases to hold that public office; or

(iii) The candidate indicates to the relevant filing officer in a manner determined by the Secretary of State by rule that the candidate would like the candidate's residence address to be visible on publicly accessible nominating petitions or declarations of candidacy or to appear on lists of electors delivered under ORS 247.940 or 247.945; and

(C) Until one of the criteria in subparagraph (B) of this paragraph is satisfied, is subject to inspection as a public record under ORS 192.311 to 192.478 only to a person who has filed a written public records request.

(2)(a) The Secretary of State shall by rule establish a method to allow any public office holder to indicate that the public office holder does not want the residence address of the public office holder to be disclosed on a list of electors delivered under ORS 247.940 or 247.945.

(b) The residence address of a public office holder who makes an indication described in paragraph (a) of this subsection:

(A) May not be disclosed on a list of electors delivered under ORS 247.940 or 247.945 until:

(i) The relevant filing officer determines that the public office holder no longer holds that public office; or

(ii) The public office holder indicates to the relevant filing officer in a manner determined by the Secretary of State by rule that the public office holder would like the public office holder's residence address to appear on lists of electors delivered under ORS 247.940 or 247.945; and

(B) Until one of the criteria in subparagraph (A) of this paragraph is satisfied, is subject to inspection as a public record under ORS 192.311 to 192.478 only to a person who has filed a written public records request.

[*(3) This section does not apply to:*]

[*(a) Nominating petitions or declarations of candidacy for candidates for precinct committeeperson; or*]

[*(b) Precinct committeepersons.*]

[*(4)*] **(3)** The Secretary of State may adopt any rules necessary to effectively implement this section.

[*(5)*] **(4)** As used in this section, "filing officer" has the meaning given that term in ORS 260.005.

SECTION 71. ORS 249.035 is amended to read:

249.035. A nominating petition[*, write-in form prepared under ORS 248.019 or 248.021*] or declaration of candidacy relating to a candidate for:

(1) State office, United States Senator or Representative in Congress shall be filed with the Secretary of State.

(2) County office [*or precinct committeeperson*] shall be filed with the county elections official.

(3) City office shall be filed with the chief city elections officer.

(4) Any elected office of a metropolitan service district under ORS chapter 268 shall be filed with the county elections official of the county in which the administrative office of the district is located.

(5) Any other office shall be filed under ORS chapter 255.

SECTION 72. ORS 249.046 is amended to read:

249.046. (1) If a candidate has not been a member of the major political party for at least 180 days before the deadline for filing a nominating petition or declaration of candidacy, the candidate shall not be entitled to receive the nomination of that major political party. If a candidate's registration becomes inactive, the inactive status shall not constitute a lapse of membership in the party if, immediately before the registration became inactive, the candidate was a member of the party and was not a member of any other political party within the 180 days preceding the deadline for filing a nominating petition or declaration of candidacy.

(2) The requirement that the candidate be qualified by length of membership does not apply to:

(a) Any candidate whose 18th birthday falls within the period of 180 days; **or**

(b) A write-in candidate[*; or*]**.**

[*(c) Any candidate for the office of precinct committeeperson who becomes a United States citizen within the period of 180 days.*]

SECTION 73. ORS 260.005 is amended to read:

260.005. As used in this chapter:

(1)[*(a)*] "Candidate" means:

[*(A)*] **(a)** An individual whose name is printed on a ballot, for whom a declaration of candidacy, nominating petition or certificate of nomination to public office has been filed or whose name is expected to be or has been presented, with the individual's consent, for nomination or election to public office;

[*(B)*] **(b)** An individual who has solicited or received and accepted a contribution, made an expenditure, or given consent to an individual, organization, political party or political committee to solicit or receive and accept a contribution or make an expenditure on the individual's behalf to secure nomination or election to any public office at any time, whether or not the office for which the individual will seek nomination or election is known when the solicitation is made, the contribution is received and retained or the expenditure is made, and whether or not the name of the individual is printed on a ballot; or

[*(C)*] **(c)** A public office holder against whom a recall petition has been completed and filed.

[*(b) For purposes of this section and ORS 260.035 to 260.156, "candidate" does not include a candidate for the office of precinct committeeperson.*]

(2) "Committee director" means any person who directly and substantially participates in decision-making on behalf of a political committee concerning the solicitation or expenditure of funds and the support of or opposition to candidates or measures. The officers of a political party shall be considered the directors of any political party committee of that party, unless otherwise provided in the party's bylaws.

(3) Except as provided in ORS 260.007, "contribute" or "contribution" includes:

(a) The payment, loan, gift, forgiving of indebtedness, or furnishing without equivalent compensation or consideration, of money, services other than personal services for which no compensation is asked or given, supplies, equipment or any other thing of value:

(A) For the purpose of influencing an election for public office or an election on a measure, or of reducing the debt of a candidate for nomination or election to public office or the debt of a political committee; or

(B) To or on behalf of a candidate, political committee or measure; and

(b) The excess value of a contribution made for compensation or consideration of less than equivalent value.

(4) "Controlled committee" means a political committee that, in connection with the making of contributions or expenditures:

(a) Is controlled directly or indirectly by a candidate or a controlled committee; or

(b) Acts jointly with a candidate or controlled committee.

(5) "Controlled directly or indirectly by a candidate" means:

(a) The candidate, the candidate's agent, a member of the candidate's immediate family or any other political committee that the candidate controls has a significant influence on the actions or decisions of the political committee; or

(b) The candidate's principal campaign committee and the political committee both have the candidate or a member of the candidate's immediate family as a treasurer or director.

(6) "County clerk" means the county clerk or the county official in charge of elections.

(7) "Elector" means an individual qualified to vote under Article II, section 2, of the Oregon Constitution.

(8) Except as provided in ORS 260.007, "expend" or "expenditure" includes the payment or furnishing of money or anything of value or the incurring or repayment of indebtedness or obligation by or on behalf of a candidate, political committee or person in consideration for any services, supplies, equipment or other thing of value performed or furnished for any reason, including support of or opposition to a candidate, political committee or measure, or for reducing the debt of a candidate for nomination or election to public office. "Expenditure" also includes contributions made by a candidate or political committee to or on behalf of any other candidate or political committee.

(9) "Filing officer" means:

(a) The Secretary of State:

(A) Regarding a candidate for public office;

(B) Regarding a statement required to be filed under ORS 260.118;

(C) Regarding any measure; or

(D) Regarding any political committee.

(b) In the case of an irrigation district formed under ORS chapter 545, "filing officer" means:

(A) The county clerk, regarding any candidate for office or any measure at an irrigation district formation election where the proposed district is situated wholly in one county;

(B) The county clerk of the county in which the office of the secretary of the proposed irrigation

district will be located, regarding any candidate for office or any measure at an irrigation district formation election where the proposed district is situated in more than one county; or

(C) The secretary of the irrigation district for any election other than an irrigation district formation election.

(10) "Independent expenditure" means an expenditure by a person for a communication in support of or in opposition to a clearly identified candidate or measure that is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure. For purposes of this subsection:

(a) "Agent" means any person who has:

(A) Actual oral or written authority, either express or implied, to make or to authorize the making of expenditures on behalf of a candidate or on behalf of a political committee supporting or opposing a measure; or

(B) Been placed in a position within the campaign organization where it would reasonably appear that in the ordinary course of campaign-related activities the person may authorize expenditures.

(b)(A) "Clearly identified" means, with respect to candidates:

(i) The name of the candidate involved appears;

(ii) A photograph or drawing of the candidate appears; or

(iii) The identity of the candidate is apparent by unambiguous reference.

(B) "Clearly identified" means, with respect to measures:

(i) The ballot number of the measure appears;

(ii) A description of the measure's subject or effect appears; or

(iii) The identity of the measure is apparent by unambiguous reference.

(c) "Communication in support of or in opposition to a clearly identified candidate or measure" means:

(A)(i) The communication, when taken as a whole and with limited reference to external events, such as the proximity to the election, could only be interpreted by a reasonable person as containing advocacy for the election or defeat of a clearly identified candidate for nomination or election to public office, or the passage or defeat of a clearly identified measure; and

(ii) The electoral portion of the communication is unmistakable, unambiguous and suggestive of only one meaning; or

(B)(i) The communication involves aggregate expenditures of more than $250 by a person;

(ii) The communication refers to a clearly identified candidate or measure that will appear on the ballot or to a political party; and

(iii) The communication is published and disseminated to the relevant electorate within 60 calendar days before a primary election, 120 calendar days before a general election or 90 calendar days before an election other than a primary election or a general election.

(d) "Made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure":

(A) Means any arrangement, coordination or direction by the candidate or the candidate's agent, or by any political committee or agent of a political committee supporting or opposing a measure, prior to the publication, distribution, display or broadcast of the communication. An expenditure shall be presumed to be so made when it is:

(i) Based on information about the plans, projects or needs of the candidate, or of the political committee supporting or opposing a measure, and provided to the expending person by the candidate or by the candidate's agent, or by any political committee or agent of a political committee supporting or opposing a measure, with a view toward having an expenditure made; or

(ii) Made by or through any person who is or has been authorized to raise or expend funds, who is or has been an officer of a political committee authorized by the candidate or by a political committee or agent of a political committee supporting or opposing a measure, or who is or has been receiving any form of compensation or reimbursement from the candidate, the candidate's principal campaign committee or agent or from any political committee or agent of a political committee supporting or opposing a measure.

(B) Does not mean providing to the expending person upon request a copy of this chapter or any rules adopted by the Secretary of State relating to independent expenditures.

(11) "Initiative petition" means a petition to initiate a measure for which a prospective petition has been filed but that is not yet a measure.

(12) "Judge" means judge of the Supreme Court, Court of Appeals, circuit court or the Oregon Tax Court.

(13) "Mass mailing" means more than 200 substantially similar pieces of mail, but does not include a form letter or other mail that is sent in response to an unsolicited request, letter or other inquiry.

(14) "Measure" includes any of the following submitted to the people for their approval or rejection at an election:

(a) A proposed law.

(b) An Act or part of an Act of the Legislative Assembly.

(c) A revision of or amendment to the Oregon Constitution.

(d) Local, special or municipal legislation.

(e) A proposition or question.

(15) "Occupation" means:

(a) The nature of an individual's principal business; and

(b) If the individual is employed by another person, the business name and address, by city and state, of the employer.

(16) "Person" means an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

(17) "Petition committee" means an initiative, referendum or recall petition committee organized under ORS 260.118.

(18) "Political committee" means a combination of two or more individuals, or a person other than an individual, that has:

(a) Received a contribution for the purpose of supporting or opposing a candidate, measure or political party; or

(b) Made an expenditure for the purpose of supporting or opposing a candidate, measure or political party. For purposes of this paragraph, an expenditure does not include:

(A) A contribution to a candidate or political committee that is required to report the contribution on a statement filed under ORS 260.057 or 260.076 or a certificate filed under ORS 260.112; or

(B) An independent expenditure for which a statement is required to be filed by a person under

ORS 260.044.

(19) "Public office" means any national, state, county, district, city office or position, except a political party office, that is filled by the electors.

(20) "Recall petition" means a petition to recall a public officer for which a prospective petition has been filed but that is not yet a measure.

(21) "Referendum petition" means a petition to refer a measure for which a prospective petition has been filed but that is not yet a measure.

(22) "Regular district election" means the regular district election described in ORS 255.335.

(23) "State office" means the office of Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, state Senator, state Representative, judge or district attorney.

SECTION 74. ORS 260.005, as amended by section 10, chapter 9, Oregon Laws 2024, is amended to read:

260.005. As used in this chapter:

(1)[*(a)*] "Candidate" means:

[*(A)*] **(a)** An individual whose name is printed on a ballot, for whom a declaration of candidacy, nominating petition or certificate of nomination to public office has been filed or whose name is expected to be or has been presented, with the individual's consent, for nomination or election to public office;

[*(B)*] **(b)** An individual who has solicited or received and accepted a contribution, made an expenditure, or given consent to an individual, organization, political party or political committee to solicit or receive and accept a contribution or make an expenditure on the individual's behalf to secure nomination or election to any public office at any time, whether or not the office for which the individual will seek nomination or election is known when the solicitation is made, the contribution is received and retained or the expenditure is made, and whether or not the name of the individual is printed on a ballot; or

[*(C)*] **(c)** A public office holder against whom a recall petition has been completed and filed.

[*(b) For purposes of this section and ORS 260.035 to 260.156, "candidate" does not include a candidate for the office of precinct committeeperson.*]

(2) "Committee director" means any person who directly and substantially participates in decision-making on behalf of a political committee concerning the solicitation or expenditure of funds and the support of or opposition to candidates or measures. The officers of a political party shall be considered the directors of any political party committee of that party, unless otherwise provided in the party's bylaws.

(3) Except as provided in ORS 260.007, "contribute" or "contribution" includes:

(a) The payment, loan, gift, forgiving of indebtedness, or furnishing without equivalent compensation or consideration, of money, services other than personal services for which no compensation is asked or given, supplies, equipment or any other thing of value:

(A) For the purpose of influencing an election for public office or an election on a measure, or of reducing the debt of a candidate for nomination or election to public office or the debt of a political committee; or

(B) To or on behalf of a candidate, political committee or measure;

(b) The excess value of a contribution made for compensation or consideration of less than equivalent value; and

(c) An expenditure by a person for a communication in support of or in opposition to a clearly

identified candidate or measure that is made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure.

(4) "Controlled committee" means a political committee that, in connection with the making of contributions or expenditures:

(a) Is controlled directly or indirectly by a candidate or a controlled committee; or

(b) Acts jointly with a candidate or controlled committee.

(5) "Controlled directly or indirectly by a candidate" means:

(a) The candidate, the candidate's agent, a member of the candidate's immediate family or any other political committee that the candidate controls has a significant influence on the actions or decisions of the political committee; or

(b) The candidate's principal campaign committee and the political committee both have the candidate or a member of the candidate's immediate family as a treasurer or director.

(6) "County clerk" means the county clerk or the county official in charge of elections.

(7) "Elector" means an individual qualified to vote under Article II, section 2, of the Oregon Constitution.

(8) Except as provided in ORS 260.007, "expend" or "expenditure" includes the payment or furnishing of money or anything of value or the incurring or repayment of indebtedness or obligation by or on behalf of a candidate, political committee or person in consideration for any services, supplies, equipment or other thing of value performed or furnished for any reason, including support of or opposition to a candidate, political committee or measure, or for reducing the debt of a candidate for nomination or election to public office. "Expenditure" also includes contributions made by a candidate or political committee to or on behalf of any other candidate or political committee.

(9) "Filing officer" means:

(a) The Secretary of State:

(A) Regarding a candidate for public office;

(B) Regarding a statement required to be filed under ORS 260.118;

(C) Regarding any measure; or

(D) Regarding any political committee.

(b) In the case of an irrigation district formed under ORS chapter 545, "filing officer" means:

(A) The county clerk, regarding any candidate for office or any measure at an irrigation district formation election where the proposed district is situated wholly in one county;

(B) The county clerk of the county in which the office of the secretary of the proposed irrigation district will be located, regarding any candidate for office or any measure at an irrigation district formation election where the proposed district is situated in more than one county; or

(C) The secretary of the irrigation district for any election other than an irrigation district formation election.

(10) "Independent expenditure" means an expenditure by a person for a communication in support of or in opposition to a clearly identified candidate or measure that is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure. For purposes of this subsection and subsection (3) of this section:

(a) "Agent" means any person who has:

(A) Actual oral or written authority, either express or implied, to make or to authorize the making of expenditures on behalf of a candidate or on behalf of a political committee supporting or opposing a measure; or

(B) Been placed in a position within the campaign organization where it would reasonably appear that in the ordinary course of campaign-related activities the person may authorize expenditures.

(b)(A) "Clearly identified" means, with respect to candidates:

(i) The name of the candidate involved appears;

(ii) A photograph or drawing of the candidate appears; or

(iii) The identity of the candidate is apparent by unambiguous reference.

(B) "Clearly identified" means, with respect to measures:

(i) The ballot number of the measure appears;

(ii) A description of the measure's subject or effect appears; or

(iii) The identity of the measure is apparent by unambiguous reference.

(c) "Communication in support of or in opposition to a clearly identified candidate or measure" means:

(A)(i) The communication, when taken as a whole and with limited reference to external events, such as the proximity to the election, could only be interpreted by a reasonable person as containing advocacy for the election or defeat of a clearly identified candidate for nomination or election to public office, or the passage or defeat of a clearly identified measure; and

(ii) The electoral portion of the communication is unmistakable, unambiguous and suggestive of only one meaning; or

(B)(i) The communication involves aggregate expenditures of more than $250 by a person;

(ii) The communication refers to a clearly identified candidate or measure that will appear on the ballot or to a political party; and

(iii) The communication is published and disseminated to the relevant electorate within 60 calendar days before a primary election, 120 calendar days before a general election or 90 calendar days before an election other than a primary election or a general election.

(d) "Made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any political committee or agent of a political committee supporting or opposing a measure":

(A) Means any arrangement, coordination or direction by the candidate or the candidate's agent, or by any political committee or agent of a political committee supporting or opposing a measure, prior to the publication, distribution, display or broadcast of the communication. An expenditure shall be presumed to be so made when it is:

(i) Based on information about the plans, projects or needs of the candidate, or of the political committee supporting or opposing a measure, and provided to the expending person by the candidate or by the candidate's agent, or by any political committee or agent of a political committee supporting or opposing a measure, with a view toward having an expenditure made; or

(ii) Made by or through any person who is or has been authorized to raise or expend funds, who is or has been an officer of a political committee authorized by the candidate or by a political committee or agent of a political committee supporting or opposing a measure, or who is or has been receiving any form of compensation or reimbursement from the candidate, the candidate's principal campaign committee or agent or from any political committee or agent of a political committee supporting or opposing a measure.

(B) Does not mean providing to the expending person upon request a copy of this chapter or any rules adopted by the Secretary of State relating to independent expenditures.

(11) "Initiative petition" means a petition to initiate a measure for which a prospective petition has been filed but that is not yet a measure.

(12) "Judge" means judge of the Supreme Court, Court of Appeals, circuit court or the Oregon Tax Court.

(13) "Mass mailing" means more than 200 substantially similar pieces of mail, but does not include a form letter or other mail that is sent in response to an unsolicited request, letter or other inquiry.

(14) "Measure" includes any of the following submitted to the people for their approval or rejection at an election:

(a) A proposed law.

(b) An Act or part of an Act of the Legislative Assembly.

(c) A revision of or amendment to the Oregon Constitution.

(d) Local, special or municipal legislation.

(e) A proposition or question.

(15) "Occupation" means:

(a) The nature of an individual's principal business; and

(b) If the individual is employed by another person, the business name and address, by city and state, of the employer.

(16) "Person" means an individual, corporation, limited liability company, labor organization, association, firm, partnership, joint stock company, club, organization or other combination of individuals having collective capacity.

(17) "Petition committee" means an initiative, referendum or recall petition committee organized under ORS 260.118.

(18) "Political committee" means a combination of two or more individuals, or a person other than an individual, that has:

(a) Received a contribution for the purpose of supporting or opposing a candidate, measure or political party; or

(b) Made an expenditure for the purpose of supporting or opposing a candidate, measure or political party. For purposes of this paragraph, an expenditure does not include:

(A) A contribution to a candidate or political committee that is required to report the contribution on a statement filed under ORS 260.057 or 260.076 or a certificate filed under ORS 260.112; or

(B) An independent expenditure for which a statement is required to be filed by a person under ORS 260.044.

(19) "Public office" means any national, state, county, district, city office or position, except a political party office, that is filled by the electors.

(20) "Recall petition" means a petition to recall a public officer for which a prospective petition has been filed but that is not yet a measure.

(21) "Referendum petition" means a petition to refer a measure for which a prospective petition has been filed but that is not yet a measure.

(22) "Regular district election" means the regular district election described in ORS 255.335.

(23) "State office" means the office of Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, state Senator, state Representative,

judge or district attorney.

SECTION 75. ORS 250.042 is amended to read:

250.042. If a signature sheet of a petition is not certified by the circulator as required under ORS 198.430, 198.750, 221.031, 248.008, 249.061, [*249.740,*] 249.865, 250.045, 250.165, 250.265, 255.135, 261.115 and 545.025, signatures contained on the signature sheet may not be counted for purposes of determining whether the petition contains the required number of signatures of electors.

SECTION 76. This 2025 Act may not be interpreted to limit any existing authority of counties or cities with home rule charters to specify election procedures for county and city offices.

SECTION 77. (1) Sections 4, 5, 38 to 40, 60 and 76 of this 2025 Act, the amendments to statutes by sections 3, 6 to 28, 30 to 36, 42 to 50, 52, 53, 55 to 58 and 62 to 75 of this 2025 Act and the repeal of statutes by sections 29, 51, 54 and 61 of this 2025 Act become operative March 1, 2027.

(2) Sections 4, 5, 38 to 40, 60 and 76 of this 2025 Act, the amendments to statutes by sections 3, 6 to 28, 30 to 36, 42 to 50, 52, 53, 55 to 58 and 62 to 75 of this 2025 Act and the repeal of statutes by sections 29, 51, 54 and 61 of this 2025 Act:

(a) Apply only to appointments and elections to public office occurring on or after the operative date described in subsection (1) of this section.

(b) Apply to a certificate of nomination, nominating petition or declaration of candidacy filed before the operative date for an election to a voter choice office to be conducted on or after the operative date described in subsection (1) of this section.

(c) Apply only to vacancies occurring during terms of office for which the person originally elected for the term was elected for that term on or after the operative date described in subsection (1) of this section.

(d) Are not intended to require a change in the composition of any committee or commission described in ORS 137.658 or 244.250.

(3) The Secretary of State and the county clerks may take any action before the operative date described in subsection (1) of this section that is necessary to enable the secretary and the county clerks to exercise, on and after the operative date, all the duties, functions and powers conferred on the secretary and the county clerks by this 2025 Act.