

Requested by Representative FAHEY

**PROPOSED AMENDMENTS TO
HOUSE BILL 3390**

1 In line 2 of the printed bill, after “elections” insert “; and declaring an
2 emergency”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1. (1) If an amendment to the Oregon Constitution is**
5 **referred to the people by the Eighty-third Legislative Assembly during**
6 **its 2025 regular session under Article XVII, section 1, of the Oregon**
7 **Constitution, or if all or part of any Act of the Eighty-third Legislative**
8 **Assembly that passes both houses of the Legislative Assembly during**
9 **its 2025 regular session is referred to the people by the Legislative**
10 **Assembly under Article IV, section 1 (3)(c), of the Oregon Constitu-**
11 **tion, or by petition under Article IV, section 1 (3)(b), of the Oregon**
12 **Constitution:**

13 **“(a) Notwithstanding ORS 250.035, 250.067, 250.075 (2) and 250.085, the**
14 **ballot title for a measure or part of a measure described in this sub-**
15 **section shall be prepared by the joint legislative committee appointed**
16 **under section 6 of this 2025 Act and filed with the Secretary of State**
17 **not later than the date set by the Secretary of State by rule. The word**
18 **limits described in ORS 250.035 (2) do not apply to a ballot title for a**
19 **measure described in this subsection that is prepared by the joint**
20 **legislative committee under this subsection. Unless modified under**
21 **section 4 of this 2025 Act, the ballot title prepared by the committee**

1 under this subsection must be the ballot title printed in the voters'
2 pamphlet and printed on, or included with, the ballot.

3 “(b) Notwithstanding ORS 251.205, 251.215, 251.225, 251.230 and
4 251.235, the explanatory statement to be printed in the voters’ pam-
5 phlet for a measure or part of a measure described in this subsection
6 shall be prepared by the joint legislative committee appointed under
7 section 6 of this 2025 Act and filed with the Secretary of State not later
8 than the date set by the Secretary of State by rule. Except as provided
9 under section 5 of this 2025 Act, the explanatory statement prepared
10 by the committee under this subsection must be the explanatory
11 statement printed in the voters’ pamphlet.

12 “(2) The joint legislative committee may begin preparation of the
13 ballot title or explanatory statement:

14 “(a) For a measure referred to the people by the Legislative As-
15 sembly under Article XVII, section 1, or Article IV, section 1 (3)(c),
16 of the Oregon Constitution, on the date the measure is filed with the
17 Secretary of State; and

18 “(b) For a measure referred to the people by petition under Article
19 IV, section 1 (3)(b), of the Oregon Constitution, on the date that a
20 prospective petition to refer the measure is filed with the Secretary
21 of State under ORS 250.045.

22 “(3) Except as otherwise provided in sections 1 to 7 of this 2025 Act,
23 ORS chapters 250, 251 and 254 apply to an election held on a measure
24 or part of a measure described in subsection (1) of this section.

25 “(4) As used in sections 1 to 7 of this 2025 Act, ‘measure’ has the
26 meaning given that term in ORS 250.005.

27 **“SECTION 2. (1) The Secretary of State shall cause to be printed in**
28 **the voters’ pamphlet the number, ballot title and text of a measure**
29 **described in section 1 of this 2025 Act and the financial estimate, ex-**
30 **planatory statement and arguments relating to the measure. The**

1 Secretary of State shall also cause to be printed in the voters' pam-
2 phlet any other information required by law.

3 “(2) For purposes of sections 1 to 7 of this 2025 Act, the election
4 referred to in ORS 251.295 is the general election.

5 **“SECTION 3. (1) Notwithstanding the deadline specified in ORS**
6 **254.085, the Secretary of State shall prepare and deliver to each county**
7 **clerk by the most expeditious means practicable a certified statement**
8 **of a measure described in section 1 of this 2025 Act. The Secretary of**
9 **State shall include with the statement the number, financial estimate**
10 **and ballot title of the measure and any other information required by**
11 **law. The Secretary of State shall keep a copy of the statement.**

12 “(2) Each county clerk shall print on the ballot the number, finan-
13 cial estimate and ballot title of the measure, along with any other in-
14 formation required by law. In lieu of printing the financial estimate,
15 the summary portion of the ballot title or other information required
16 by law on the ballot, a county clerk may include with the ballot the
17 complete text of the ballot title, the financial estimate and any other
18 information required by law.

19 **“SECTION 4. Notwithstanding ORS 250.085:**

20 “(1) Any elector dissatisfied with the ballot title for a measure de-
21 scribed in section 1 of this 2025 Act prepared by the joint legislative
22 committee appointed under section 6 of this 2025 Act may petition the
23 Supreme Court seeking a different ballot title. The petition shall state
24 the reasons that the ballot title filed with the Secretary of State does
25 not substantially comply with the requirements of ORS 250.035 and
26 section 1 of this 2025 Act.

27 “(2) The petition shall name the Attorney General as the respondent
28 and must be filed not later than the fifth business day after the joint
29 legislative committee files the ballot title with the Secretary of State.

30 “(3) An elector filing a petition under this section shall notify the

1 Secretary of State in writing that the petition has been filed. The no-
2 tice must be received in the office of the Secretary of State not later
3 than 5 p.m. on the next business day following the day the petition is
4 filed.

5 “(4) The Supreme Court shall review the ballot title for substantial
6 compliance with the requirements of ORS 250.035 and section 1 of this
7 2025 Act.

8 “(5) The review by the Supreme Court shall be conducted expe-
9 ditiously to ensure the orderly and timely conduct of the election at
10 which the measure is to be submitted to the electors.

11 “(6) If the Supreme Court determines that the ballot title prepared
12 by the joint legislative committee substantially complies with the re-
13 quirements of ORS 250.035 and section 1 of this 2025 Act, the court
14 shall certify the ballot title to the Secretary of State. If the Supreme
15 Court determines that the ballot title prepared by the joint legislative
16 committee does not substantially comply with the requirements of
17 ORS 250.035 and section 1 of this 2025 Act, the court shall modify the
18 ballot title and certify the ballot title to the Secretary of State or refer
19 the ballot title to the Attorney General for modification.

20 “(7) Not later than five business days after the Supreme Court re-
21 fers a ballot title to the Attorney General for modification under this
22 section, the Attorney General shall certify a modified ballot title to the
23 Secretary of State. The modified ballot title is not subject to judicial
24 review.

25 **“SECTION 5. Notwithstanding ORS 251.235:**

26 “(1) Any person dissatisfied with the explanatory statement for a
27 measure described in section 1 of this 2025 Act prepared by the joint
28 legislative committee appointed under section 6 of this 2025 Act may
29 petition the Supreme Court seeking a different explanatory statement
30 and stating the reasons the explanatory statement filed with the court

1 is insufficient or unclear.

2 “(2) The court shall review the explanatory statement and certify
3 an explanatory statement to the Secretary of State if the petition is
4 filed and served as required in subsection (4) of this section not later
5 than the fifth business day after the joint legislative committee files
6 the explanatory statement with the Secretary of State.

7 “(3) Failure to file and serve the petition within the time prescribed
8 in subsection (2) of this section precludes Supreme Court review and
9 certification of an explanatory statement. If the court considers the
10 petition, the court may allow oral argument. The review by the Su-
11 preme Court shall be conducted expeditiously to ensure the orderly
12 and timely conduct of the election at which the measure is to be sub-
13 mitted to the electors. The explanatory statement certified by the
14 court must be the explanatory statement printed in the voters’ pam-
15 phlet.

16 “(4) At the time a person petitions the Supreme Court under sub-
17 section (1) of this section, the person also shall serve a copy of the
18 petition on:

19 “(a) The Attorney General;

20 “(b) The Legislative Assembly; and

21 “(c) The chief petitioners of the measure.

22 “SECTION 6. (1) For each measure described in section 1 of this 2025
23 Act, a joint legislative committee consisting of three Senators and
24 three Representatives shall be appointed to prepare and file with the
25 Secretary of State the ballot title and explanatory statement for the
26 measure.

27 “(2)(a) The President of the Senate shall appoint three members of
28 a committee from among members of the Senate, two from the ma-
29 jority party and one from the minority party.

30 “(b) The Speaker of the House of Representatives shall appoint

1 three members of a committee from among members of the House of
2 Representatives, two from the majority party and one from the mi-
3 nority party.

4 **“SECTION 7. The Secretary of State shall adopt rules governing the**
5 **procedures for conducting an election on a measure described in sec-**
6 **tion 1 of this 2025 Act as may be necessary to implement sections 1 to**
7 **7 of this 2025 Act. Rules adopted under this section may not require**
8 **the joint legislative committee appointed under section 6 of this 2025**
9 **Act to:**

10 **“(1) Prepare or make publicly available a draft ballot title; or**

11 **“(2) File a ballot title with the Secretary of State before March 10,**
12 **2026.**

13 **“SECTION 8. This 2025 Act being necessary for the immediate**
14 **preservation of the public peace, health and safety, an emergency is**
15 **declared to exist, and this 2025 Act takes effect on its passage.”.**

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