

# House Joint Resolution 201

Sponsored by Representatives JAVADI, EVANS, Senator GOLDEN, Representative WATANABE, Senator SOLLMAN; Representatives GAMBA, LEVY E, LIVELY, PHAM H, RIEKE SMITH, Senator PHAM K (Pre-session 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: Proposes a change to the state Constitution. Requires the names of all candidates to be listed on a single ballot for a primary. (Flesch Readability Score: 60.0).

Proposes an amendment to the Oregon Constitution to require that primary election ballots must contain the names of all candidates of any political party affiliation for specified offices. Provides that a registered elector in this state may not be denied the right to vote in any primary election in this state solely because that elector is registered as unaffiliated with any political party. Permits a political party to decline to participate in a primary election, subject to certain requirements. Designates a minor political party.

Refers the proposed amendment to the people for their approval or rejection at the next regular general election.

## JOINT RESOLUTION

### Be It Resolved by the Legislative Assembly of the State of Oregon:

**PARAGRAPH 1.** The Constitution of the State of Oregon is amended by creating a new section 33 to be added to and made a part of Article II, such section to read:

**SECTION 33. (1) Except as provided under paragraph (c) of subsection (3) of this section, an elector may not be denied the right to vote in any election in this state solely because the elector is registered as being unaffiliated with a political party.**

**(2) Except as provided under paragraph (b) of subsection (3) of this section, for any primary election in this state, all candidates for the following offices must be listed on a single ballot, regardless of each candidate's political party affiliation:**

**(a) United States Senator, Representative in Congress, Governor, Secretary of State, State Treasurer, Attorney General, state Senator and state Representative; and**

**(b) Any other public office designated by the law of this state to require a primary election.**

**(3) For each primary election:**

**(a) The two candidates for each office receiving the most votes are nominated to the general election, except as provided by law for the advancement of more than two candidates for an office.**

**(b) A political party may decline to participate in a primary election described in subsection (2) of this section and nominate candidates for any office described in subsection (2) of this section to the general election. A political party that declines to participate in a primary election described in subsection (2) of this section shall provide for any funding necessary for the nomination of that party's candidates and shall ensure the fair and open participation of any voter who is affiliated with that party to nominate any candidate. The Secretary of State shall provide for the date, not more than 250 days prior to the date of the**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 primary election described in subsection (2) of this section, by which a political party shall  
2 notify the secretary that the party declines to participate in the primary election.

3 (c) A qualified elector is eligible to vote in the primary election for each office related  
4 to the jurisdiction in which the elector resides, unless that elector is registered as being af-  
5 filiated with a political party that has declined to participate in the primary election in ac-  
6 cordance with paragraph (b) of this subsection.

7 (4)(a) Each candidate for an office described in subsection (2) of this section may request  
8 that the Secretary of State:

9 (A) Cause to be printed next to the candidate's name on the primary election ballot,  
10 general election ballot and any informational material regarding the election provided by this  
11 state to electors the names of not more than three political parties in this state that have  
12 officially endorsed the candidate for that office in that election; and

13 (B) Not cause to be printed the name of any political party next to the candidate's name  
14 on any ballot or any informational material regarding the election provided by this state to  
15 electors.

16 (b) A political party may not endorse any candidate unless the party adopts and follows  
17 rules that ensure the fair and open participation of any interested elector who is affiliated  
18 with that party in making the endorsement.

19 (5) An assembly of electors that maintains an affiliation of electors not greater than  
20 one-tenth of one percent of all active registered electors in this state shall be designated as  
21 a minor political party.

22 (6) Nothing in this section may be interpreted to prohibit any candidate from being listed  
23 on a general election ballot if that candidate obtains a number of signatures of valid regis-  
24 tered electors in this state to be determined by law.

25 (7) This section does not apply to primary elections for candidates for President of the  
26 United States.

27  
28 **PARAGRAPH 2.** The amendment proposed by this resolution shall be submitted to the  
29 people for their approval or rejection at the next regular general election held throughout  
30 this state.