

# Senate Bill 1592

Sponsored by Senators MEEK, SOLLMAN; Senator LIEBER, Representatives PHAM H, WATANABE (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: The Act changes how primary elections are done in this state. The Act changes how certain vacancies in office are filled. (Flesch Readability Score: 71.2).

Provides that any elector may vote in a primary election.

Requires that all candidates of any political party appear on one ballot at a primary election. Provides that the two candidates who receive the two highest numbers of votes at a primary election are nominated to the general election. Permits a political party to decline to participate in the primary election and to nominate the party's candidates using the party's individual nominating process.

Provides for the process by which vacancies in specified offices are to be filled.

Permits political parties that endorse candidates at an election to be listed on the ballot. Prohibits political parties from endorsing candidates unless the parties provide for fair and open participation by all electors affiliated with those parties in making the endorsement.

Repeals provisions regarding precinct committeepersons, county central committees and state central committees.

## A BILL FOR AN ACT

1  
2 Relating to primary elections; creating new provisions; amending ORS 171.051, 171.060, 171.068,  
3 188.120, 236.225, 246.250, 248.002, 248.004, 248.006, 248.007, 248.008, 248.009, 248.017, 248.019,  
4 248.021, 249.002, 249.006, 249.013, 249.020, 249.021, 249.023, 249.031, 249.035, 249.037, 249.042,  
5 249.056, 249.064, 249.072, 249.076, 249.180, 249.205, 249.215, 249.830, 250.042, 251.022, 251.026,  
6 253.540, 253.565, 254.005, 254.056, 254.076, 254.115, 254.135, 254.365, 254.370, 254.470, 254.555,  
7 254.565, 254.650 and 260.005; and repealing ORS 236.100, 236.215, 236.217, 248.007, 248.012,  
8 248.015, 248.017, 248.019, 248.021, 248.023, 248.024, 248.026, 248.027, 248.029, 248.031, 248.033,  
9 248.035, 248.043, 248.045, 248.072, 248.075, 248.085, 249.042, 249.046, 249.048, 249.068, 249.190,  
10 249.200 and 254.025.

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

12 **SECTION 1. Sections 2 and 3 of this 2026 Act are added to and made a part of ORS**  
13 **chapter 249.**

14 **SECTION 2. (1) Subject to subsection (3)(a)(C) of this section, an elector may not be de-**  
15 **nieed the right to vote in any election in this state solely because that elector is registered**  
16 **as not affiliated with a political party.**

17 **(2) Except as provided in subsection (3) of this section, all candidates in primary elections**  
18 **for voter choice offices must be listed on a single ballot, regardless of the candidate's poli-**  
19 **tical party affiliation.**

20 **(3)(a) For each primary election under subsection (2) of this section:**

21 **(A) The two candidates for each office who receive the most votes are nominated to the**  
22 **general election for that office.**

23 **(B) A political party may decline to participate and nominate that party's candidates to**

**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 the general election under the party's individual nomination process so long as the party  
 2 adopts processes that ensure the fair and open participation of all electors who are regis-  
 3 tered as affiliated with that party in the nomination of those candidates.

4 (C) Any qualified elector may vote in the jurisdiction in which the elector resides, unless  
 5 the party with which the elector is affiliated declines to participate in the primary election.

6 (b) A party that declines to participate in the primary election under paragraph (a)(B)  
 7 of this subsection may not receive public funds for the party's individual nomination process.

8 (c) The Secretary of State shall specify a date, not more than 250 days prior to the date  
 9 of the primary election, by which a political party must notify the secretary that the party  
 10 declines to participate in the primary election under subsection (2) of this section.

11 (4) Nothing in this section prohibits a candidate from appearing on the general election  
 12 ballot if that candidate gathers the number of signatures required by law.

13 (5) Nothing in this section applies to a primary election for President of the United  
 14 States.

15 **SECTION 3.** For any vacancy in a nomination for a voter choice office following the pri-  
 16 mary election and before the 61st day prior to the general election, the candidate who re-  
 17 ceived the next highest number of votes at the primary election, but not less than one  
 18 percent of the total number of votes cast for candidates for that office, is nominated. The  
 19 chief elections officer, as defined in ORS 254.005, shall provide the name of the candidate who  
 20 is nominated in accordance with this section to the county clerk for any county in which the  
 21 voter choice office is being elected.

22 **SECTION 4.** ORS 249.002 is amended to read:

23 249.002. As used in this chapter:

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

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

27 (3) "Elector" means an individual qualified to vote under Article II, section 2, Oregon Consti-  
 28 tution.

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

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

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

34 (7) "Nonpartisan office" means the office of judge, Commissioner of the Bureau of Labor and  
 35 Industries, any elected office of a metropolitan service district under ORS chapter 268, justice of the  
 36 peace, county clerk, county assessor, county surveyor, county treasurer, county judge who exercises  
 37 judicial functions, sheriff, district attorney or any office designated nonpartisan by a home rule  
 38 charter.

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

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

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

1 (11) **“Voter choice office” means:**

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

4 (b) **Any other public office designated by the governing body of the jurisdiction.**

5 **SECTION 5.** ORS 249.013 is amended to read:

6 249.013. (1) A person may not be a candidate for more than one lucrative office to be filled at  
 7 the same election.

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

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

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

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

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

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

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

29 (7) **The filing deadline for a nominating petition, declaration of candidacy or withdrawal**  
 30 **of a petition or declaration for a candidate who is an incumbent holder of a public office is**  
 31 **seven days prior to the corresponding filing deadline for nonincumbent candidates for that**  
 32 **public office.**

33 **SECTION 6.** ORS 249.020 is amended to read:

34 249.020. (1) An eligible elector, **regardless of any party affiliation,** may become a candidate  
 35 for **a voter choice office or** nonpartisan office[, *or for the nomination to an office by the major pol-*  
 36 *itical party of which the elector is a member,*] by filing a nominating petition or a declaration of  
 37 candidacy.

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

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

42 **SECTION 7.** ORS 249.023 is amended to read:

43 249.023. Notwithstanding any provision of this chapter, and except as provided in section 8,  
 44 Article IV, Oregon Constitution, and section 2, Article V, Oregon Constitution, an otherwise quali-  
 45 fied person who will attain the age of 18 years after the deadline for filing a nominating petition

1 or declaration of candidacy for nomination to any [*major political party*] office and on or before the  
 2 date of the primary election, and who is registered [*as a member of the major political party*] **as an**  
 3 **elector** not later than the date of the primary election, is eligible to file a nominating petition for  
 4 nomination to any [*major political party*] office, to be listed on the ballot and to be nominated for  
 5 the office, including by write-in votes.

6 **SECTION 8.** ORS 249.031 is amended to read:

7 249.031. (1) [*Except as provided in subsection (2) of this section,*] A nominating petition or decla-  
 8 ration of candidacy shall contain:

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

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

12 (c) The office and department or position number, if any, for which the candidate seeks nomi-  
 13 nation.

14 [(d) *If the candidate is seeking the nomination of a major political party, the name of the major*  
 15 *political party of which the candidate will have been a member, subject to the exceptions stated in ORS*  
 16 *249.046, during at least 180 days before the deadline for filing a nominating petition or declaration of*  
 17 *candidacy.*]

18 **(d) For any candidate seeking nomination or election for a voter choice office, the name**  
 19 **of any political party that has endorsed that candidate.**

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

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

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

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

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

29 [(2) *Subsection (1)(i) of this section does not apply to a candidate for election as a precinct com-*  
 30 *mitteeperson.*]

31 [(3)] **(2)** The Secretary of State shall ensure that the templates for a nominating petition or  
 32 declaration of candidacy provide the candidate with the option to:

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

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

36 [(4)] **(3)** A declaration of candidacy shall include a statement that the required fee is included  
 37 with the declaration.

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

41 **SECTION 9.** ORS 249.037 is amended to read:

42 249.037. (1) Except as otherwise provided in this section, a nominating petition or declaration  
 43 of candidacy shall be filed not sooner than the 250th day and not later than the 70th day before the  
 44 date of the nominating election.

45 (2) If a vacancy occurs in a [*partisan elective*] **voter choice** office after the 80th day and before

1 the 70th day before the nominating election, a nominating petition or declaration of candidacy for  
 2 that office may be filed not later than the 65th day before the nominating election.

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

5 **SECTION 10.** ORS 249.021 is amended to read:

6 249.021. (1)(a) The Secretary of State by rule shall establish a new provision that must be added  
 7 to every nominating petition or declaration of candidacy used for public office. The provision es-  
 8 tablished under this section shall:

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

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

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

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

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

19 (A) May not be visible on any publicly accessible nominating petition or declaration of candi-  
 20 dacy;

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

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

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

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

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

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

38 (b) The residence address of a public office holder who makes an indication described in para-  
 39 graph (a) of this subsection:

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

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

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

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

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

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

7 [(b) *Precinct committeepersons.*]

8 [(4)] (3) The Secretary of State may adopt any rules necessary to effectively implement this  
 9 section.

10 [(5)] (4) As used in this section, "filing officer" has the meaning given that term in ORS 260.005.

11 **SECTION 11.** ORS 249.056 is amended to read:

12 249.056. (1) At the time of filing a declaration of candidacy, a candidate for the following offices  
 13 shall pay to the officer with whom the declaration is filed the following fee:

14 (a) United States Senator, \$150.

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

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

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

22 (2) No filing fee *[shall]* **may** be required of *[persons filing]* **a person who files** a declaration of  
 23 candidacy for *[precinct committeeperson or]* justice of the peace **or who has obtained verified sig-**  
 24 **natures of electors as required under ORS 249.072.**

25 **SECTION 12.** ORS 249.064 is amended to read:

26 249.064. [(1) *A nominating petition of a candidate seeking the nomination of a major political party*  
 27 *shall contain a statement that each elector whose signature appears on the petition is a member of the*  
 28 *same major political party as is the candidate.*]

29 [(2)] (1) A nominating petition of any candidate shall contain the number of signatures of elec-  
 30 tors required by ORS [249.068 or] 249.072 and the residence or mailing address *[and name or number*  
 31 *of the precinct, if known,]* **or alternate address** of each elector whose signature appears.

32 [(3)] (2) Pursuant to ORS 249.008, the county clerks or the Secretary of State shall certify the  
 33 signatures contained in the nominating petition for genuineness.

34 **SECTION 13.** ORS 249.072 is amended to read:

35 249.072. (1) If the nonpartisan **or voter choice** office is to be voted for in the state at large, the  
 36 nominating petition shall contain at least 1,000 signatures of electors, or a number of signatures of  
 37 electors equal to at least one percent of the vote cast in the state for all candidates for Governor  
 38 at the most recent election at which a candidate for Governor was elected to a full term, whichever  
 39 is less. The signatures shall include those of at least 100 electors registered in each congressional  
 40 district.

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

1        **SECTION 14.** ORS 249.076 is amended to read:

2        249.076. [(1) *A person who is not a member of the same major political party as the candidate for*  
3 *nomination by the major political party may not sign the nominating petition of the candidate.*]

4        [(2)] Any elector may sign:

5        [(a)] (1) A nominating petition or certificate of nomination of any candidate for nonpartisan of-  
6 fice **or voter choice office; and**

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

8        [(c)] (2) Nominating petitions or certificates of nomination for more than one candidate for the  
9 same office.

10       **SECTION 15.** ORS 249.205 is amended to read:

11       249.205. (1) If the only candidate nominated to [*a nonpartisan*] **an** office dies, withdraws or be-  
12 comes ineligible, or if a vacancy occurs in the [*nonpartisan*] office after the 70th day before the  
13 nominating election and on or before the 62nd day before the general election, a candidate for the  
14 office may file a declaration of candidacy in the manner provided for [*nonpartisan*] **that** office or  
15 shall be nominated by nominating petition in the manner provided for [*nonpartisan*] **that** office.

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

19       **SECTION 16.** ORS 249.215 is amended to read:

20       249.215. (1) If a vacancy occurs in a state office before the 61st day before the first general  
21 election to be held during that term of office, the remaining two years of the term of the state office  
22 shall be filled by the electors at that general election.

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

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

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

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

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

36       **SECTION 17.** ORS 249.830 is amended to read:

37       249.830. (1) A person who has been nominated and has accepted the nomination under ORS  
38 249.712 may withdraw from the nomination by filing with the [*officer with whom the certificate of*  
39 *nomination was filed*] **Secretary of State** a written statement declining the nomination and stating  
40 the reason for withdrawal.

41       (2) The statement must be:

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

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

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

1        **SECTION 18.** ORS 249.180 is amended to read:

2        249.180. Any person who has been nominated at a primary election, or any person who has been  
3 nominated to fill a vacancy as provided in ORS 188.120 [or 249.190 and 249.200], may withdraw from  
4 nomination by filing a written statement declining the nomination and stating the reason for with-  
5 drawal. The statement shall be signed by the candidate and filed not later than the 67th day before  
6 the general election with the officer with whom the candidate's declaration of candidacy or nomi-  
7 nating petition was filed.

8        **SECTION 19.** Sections 20 and 21 of this 2026 Act are added to and made a part of ORS  
9 chapter 254.

10        **SECTION 20.** (1)(a) For each candidate for a voter choice office, the county clerk shall  
11 print on the primary election ballot and general election ballot the name of the candidate and  
12 not more than three political parties that have endorsed that candidate for that office. The  
13 names of the political parties must be listed in the order specified by the candidate and must  
14 be preceded by the phrase "Endorsed by:".

15        (b) The county clerk shall print the names of a political party providing an endorsement  
16 of a candidate only if that candidate has accepted the endorsement and has provided the  
17 chief elections officer notice of the accepted endorsement not later than the 45th day prior  
18 to the primary election or the 55th day prior to the general election.

19        (2) To be eligible to provide any endorsement of a candidate, a political party must adopt  
20 rules governing the endorsement and file the rules with the Secretary of State. The rules  
21 adopted by the political party must ensure the fair and open participation of any interested  
22 elector who is affiliated with that party in making an endorsement and must be adopted and  
23 published by the party not later than 180 days before any election to which the rules would  
24 apply.

25        (3) A political party may endorse multiple candidates for the same office.

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

28        **SECTION 21.** Any law of this state that applies to elections and ballots for nonpartisan  
29 office applies to voter choice office.

30        **SECTION 22.** ORS 254.005 is amended to read:

31        254.005. As used in this chapter:

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

35        (2) "Chief elections officer" means the:

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

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

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

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

43        (4) "Elector" means an individual qualified to vote under section 2, Article II, Oregon Consti-  
44 tution.

45        (5) "Major political party" means a political party that has qualified as a major political party

1 under ORS 248.006.

2 (6) "Measure" includes any of the following submitted to the people for their approval or re-  
3 jection at an election:

- 4 (a) A proposed law.
- 5 (b) An Act or part of an Act of the Legislative Assembly.
- 6 (c) A revision of or amendment to the Oregon Constitution.
- 7 (d) Local, special or municipal legislation.
- 8 (e) A proposition or question.

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

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

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

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

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

22 **(12) "Voter choice office" has the meaning given that term in ORS 249.002.**

23 [(12)] **(13)** "Voting machine" means any device that will record every vote cast on candidates  
24 and measures and that will either internally or externally total all votes cast on that device.

25 **SECTION 23.** ORS 254.076 is amended to read:

26 254.076. The chief elections officer shall keep a register of candidates for nomination at the  
27 primary election. The register, if applicable, shall contain [*for each major political party*]:

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

30 [(2)] **(1)** The name and mailing address of each candidate for nomination at the primary election.

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

32 **(2) The name of any political party that has endorsed the candidate.**

33 [(4)] **(3)** The date of filing of the prospective petition for nomination of the candidate.

34 [(5)] **(4)** The date of filing of the completed petition for nomination of the candidate, the number  
35 of valid signatures contained and the number of signatures required.

36 [(6)] **(5)** The date of filing of the declaration of candidacy of the candidate.

37 [(7)] **(6)** Such other information as may aid the chief elections officer in arranging the official  
38 ballot for the primary election.

39 **SECTION 24.** ORS 254.115 is amended to read:

40 254.115. (1) The official primary election ballot shall be styled "Official Primary [*Nominating*]  
41 Ballot [*for the \_\_\_\_\_ Party*]." and shall state:

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

43 (b) The date of the primary election.

44 (c) The names of all candidates for nomination at the primary election whose nominating pe-  
45 titions or declarations of candidacy have been made and filed, and who have not died, withdrawn

1 or become disqualified.

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

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

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

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

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

12 (c) In the event that two or more candidates for the same nomination or office have the same  
13 first name and last name, as indicated on the declarations of candidacy or nominating petitions of  
14 the candidates, **the occupation of each candidate or** the location of their places of residence shall  
15 be printed with their names to distinguish one from another. *[This paragraph does not apply to*  
16 *candidates for precinct committeeperson.]*

17 **SECTION 25.** ORS 254.135 is amended to read:

18 254.135. (1) The official general or special election ballot shall be styled "Official Ballot" and  
19 shall state:

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

21 (b) The date of the election.

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

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

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

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

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

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

44 *[(C) For a candidate who is a member of a political party who is nominated by a political party*  
45 *of which the candidate is not a member, the name of the political party that nominated the candidate*

1 *shall be printed with the name of the candidate;]*

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

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

8 *[(F) For a candidate who is nominated by a political party of which the candidate is a member and*  
9 *by any political party or parties of which the candidate is not a member, the name of the political party*  
10 *of which the candidate is a member and the names of not more than two other political parties selected*  
11 *by the candidate shall be printed with the name of the candidate.]*

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

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

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

21 *[(e) (d) If two or more candidates for the same office have the same or similar surnames, the*  
22 *occupation of each candidate or the location of their places of residence shall be printed with*  
23 *their names to distinguish one from another.*

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

27 **SECTION 26.** ORS 254.365 is amended to read:

28 254.365. (1) An elector is not qualified or permitted to vote at any **presidential** primary election  
29 for any candidate of a major political party, and it is unlawful for the elector to offer to do so, un-  
30 less:

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

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

38 (2) Except as provided in ORS 254.470 (3), any elector offering to vote at the **presidential** pri-  
39 mary election shall be given a ballot of the major political party with which the elector is registered  
40 as being affiliated. The elector may not be given a ballot of any other political party at that **pres-**  
41 **idential** primary election. An elector not affiliated with any **major** political party and offering to  
42 vote at the **presidential** primary election shall be given the ballot of the major political party in  
43 whose **presidential** primary election the elector wishes to vote if that party has provided under  
44 subsection (3) of this section for a primary election that admits electors not affiliated with [*any*]  
45 **that** political party. An elector not affiliated with [*any*] **that** political party who is given a ballot

1 of the major political party associates with the party for the purpose of voting in that **presidential**  
 2 primary election.

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

11 *[(b) The party rule shall allow any elector who is permitted to vote for the most numerous branch*  
 12 *of the Legislative Assembly also to vote in federal legislative elections, consistent with section 2, Article*  
 13 *I, and the Seventeenth Amendment to the United States Constitution.]*

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

17 **(b) The rule may specify which categories of electors may vote in that party's presiden-**  
 18 **tial primary election, including any electors registered as not affiliated with any political**  
 19 **party or electors who are affiliated with a specified minor political party.**

20 **(4) The Secretary of State shall distribute presidential primary election ballots to each**  
 21 **elector qualified to vote in that party's presidential primary election without requiring a**  
 22 **separate request from the elector.**

23 **SECTION 27.** ORS 254.470 is amended to read:

24 254.470. (1) The Secretary of State by rule shall establish requirements and criteria for the  
 25 designation of places of deposit for the ballots cast in an election. The rules shall also specify the  
 26 dates and times the places of deposit must be open and the security requirements for the places of  
 27 deposit. At a minimum, the places designated under this section shall be open on the date of the  
 28 election for a period of eight or more hours, but must be open until at least 8 p.m. At each place  
 29 of deposit designated under this section, the county clerk shall prominently display a sign stating  
 30 that the location is an official ballot drop site.

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

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

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

44 (d) If an active elector of the electoral district requests an absentee ballot because the elector  
 45 will be absent from the electoral district during the period of time described in paragraph (a) of this

1 subsection, the county clerk may, if the elector’s ballot is available:

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

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

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

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

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

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

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

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

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

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

35 (5) The ballot shall contain the following warning:

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37  
 38 Any person who, by use of force or other means, unduly influences an elector to vote in any  
 39 particular manner or to refrain from voting is subject to a fine.

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41  
 42 (6)(a) Upon receipt of any ballot described in this section, the elector shall mark the ballot, sign  
 43 the return identification envelope supplied with the ballot and comply with the instructions provided  
 44 with the ballot.

45 (b) The elector may return the marked ballot to the county clerk by United States mail or by

1 depositing the ballot at the office of the county clerk, at any place of deposit designated by the  
2 county clerk or at any location described in ORS 254.472 or 254.474.

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

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

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

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

14 (B) The ballot must:

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

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

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

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

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

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

27 (c) A summary of the applicable penalties for knowingly making a false statement, oath or affi-  
28 davit under the election laws.

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

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

40 (10) A ballot shall be counted only if:

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

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

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

45 (11) The county clerk shall verify the signature of each elector on the return identification en-

1 velope with the signature on the elector's registration record, according to the procedure provided  
 2 by rules adopted by the Secretary of State. Rules adopted by the secretary under this subsection  
 3 must limit personnel authorized to verify signatures to the personnel authorized to count ballots  
 4 under ORS 254.476. If the county clerk determines that an elector to whom a replacement ballot has  
 5 been issued has voted more than once, the county clerk shall count only one ballot cast by that  
 6 elector.

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

11 (13)(a)(A) Except as provided in subparagraph (B) of this paragraph, the name of the Secretary  
 12 of State may not appear in the secretary's official capacity on the return identification envelope or  
 13 on any instructions or materials included with the ballot if the secretary is a candidate in the  
 14 election for which the ballot is printed.

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

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

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

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

25 **SECTION 28.** ORS 254.555 is amended to read:

26 254.555. (1) Except as provided in ORS 254.548 or as necessary to comply with federal law con-  
 27 cerning the issuance of a certificate of ascertainment of presidential electors, not later than the 37th  
 28 day after any election, the Secretary of State, regarding offices for which the secretary receives  
 29 filings for nomination, shall:

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

31 (b) Enter in a register of nominations after the primary election the name [*and, if applicable,*  
 32 *major political party*] of each candidate nominated, the office for which the candidate is nominated,  
 33 **the names of any political party that endorsed the candidate** and the date of entry.

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

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

38 (e) **Prepare and deliver the certificates of nomination to the two candidates for a voter**  
 39 **choice office who received the highest number of votes at the primary election.**

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

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

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

1 is paramount.

2 **SECTION 29.** ORS 254.565 is amended to read:

3 254.565. Subject to ORS 254.548, the chief city elections officer:

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

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

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

7 (c) If applicable, the *[name of the major political party nominating the candidate]* **name of any**  
 8 **political party that endorsed the candidate.**

9 (d) The date of the entry.

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

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

15 **SECTION 30.** ORS 254.650 is amended to read:

16 254.650. (1) If the Secretary of State determines that *[a vacancy exists in the nomination of]* a  
 17 candidate *[of a major political party]* for state office~~, that the vacancy is due to the death of the~~  
 18 ~~candidate and that the vacancy occurred after]~~ **has died before** the 47th day before the date of the  
 19 general election, **if the candidate was the only candidate nominated for the office:**

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

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

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

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

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

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

29 **(3) If the Secretary of State determines that a candidate for state office has died after**  
 30 **the 47th day prior to the date of the general election, and the candidate was the only candi-**  
 31 **date to be nominated for that office:**

32 (a) **The election for the state office must be held at the general election, and the name**  
 33 **of the candidate who died must appear on the ballot;**

34 (b) **Each county clerk shall count ballots cast for candidates for that state office at the**  
 35 **general election, including any ballot cast for the candidate who died; and**

36 (c) **If the candidate who died receives the most votes at the general election, the office**  
 37 **must be filled through the process for filling vacancies in that office.**

38 ~~[(3)]~~ (4) As used in this section “state office” means the office of Governor, Secretary of State,  
 39 State Treasurer, Attorney General, state Senator or state Representative.

40 **SECTION 31.** ORS 254.370 is amended to read:

41 254.370. The county clerk shall maintain:

42 (1) A monthly registration record of all electors registered as not being affiliated with any pol-  
 43 itical party;

44 (2) At each primary election, a record of the number of electors who voted from each *[major]*  
 45 political party;

1 (3) A record of all electors registered as not being affiliated with any **major** political party who  
 2 vote in a **presidential** primary election of a major political party that has provided under ORS  
 3 254.365 for a **presidential** primary election that admits electors not affiliated with *[any]* **that** poli-  
 4 tical party; and

5 (4) A record of all electors *[registered as not being affiliated with any political party]* who vote  
 6 in the general election.

7 **SECTION 32.** ORS 248.008 is amended to read:

8 248.008. (1) An affiliation of electors becomes a minor political party in the state, a county or  
 9 other electoral district, qualified to make nominations for public office in that electoral district and  
 10 in any other electoral district wholly contained within the electoral district, when the affiliation of  
 11 electors has acted as described in either paragraph (a) or (b) of this subsection:

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

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

19 (C) Before circulating the petition, the chief sponsor of the petition must file with the Secretary  
 20 of State a signed copy of the prospective petition. The chief sponsor must include with the pro-  
 21 spective petition a statement declaring whether one or more persons will be paid money or other  
 22 valuable consideration for obtaining signatures of electors on the petition. After the prospective  
 23 petition is filed, the chief sponsor must notify the filing officer not later than the 10th day after the  
 24 chief sponsor first has knowledge or should have had knowledge that:

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

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

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

33 (E) The Secretary of State shall verify whether the petition contains the required number of  
 34 signatures of electors. The Secretary of State may not accept a petition for filing if it contains less  
 35 than 100 percent of the required number of signatures. The Secretary of State by rule shall desig-  
 36 nate a statistical sampling technique to verify whether a petition contains the required number of  
 37 signatures of electors. A petition may not be rejected for the reason that it contains less than the  
 38 required number of signatures unless two separate sampling processes both establish that the peti-  
 39 tion lacks the required number of signatures. The second sampling must contain a larger number  
 40 of signatures than the first sampling. The Secretary of State may employ professional assistance to  
 41 determine the sampling technique. The statistical sampling technique may be the same as that  
 42 adopted under ORS 250.105.

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

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

3 (B) Any single *[state]* **voter choice** office, **as defined in ORS 249.002**, to be voted upon in the  
4 state at large *[for which nominations by political parties are permitted by law]* at the most recent  
5 election at which a candidate for the office was elected to a full term.

6 (2) After satisfying either subsection (1)(a) or (b) of this section, the minor political party may  
7 nominate candidates *[for election]* **to the general election for all voter choice offices** at the next  
8 general election.

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

12 *[(4)]* **(3)** In order to maintain status as a minor political party for a subsequent general  
13 election[.],

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

18 *[(b)(A) Following each general election, at any time during the period beginning on the date of the  
19 next primary election and ending on the 90th day before the next general election, a number of electors  
20 equal to at least one-tenth of one percent of the total votes cast in the state or electoral district for all  
21 candidates for Governor at the most recent election at which a candidate for Governor was elected to  
22 a full term must be registered as members of the party; and]*

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

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

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

30 *[(5)]* **(4)** An affiliation of electors that fails to maintain status as a minor political party ceases  
31 to be a minor political party on the 90th day before the date of the next general election.

32 *[(6)]* **(5)** During the period beginning on **the 90th day prior to** the date of the primary election  
33 and ending on the 90th day before the date of the general election, the Secretary of State shall de-  
34 termine at least once each month whether registration requirements to maintain status as a minor  
35 political party have been satisfied.

36 *[(7)]* **(6)** If a minor political party changes its name, only those electors who register on or after  
37 the effective date of the name change as members of the party under the new party name shall be  
38 counted as members of the party. **If two or more minor political parties merge, the electors  
39 affiliated with each minor political party must be recorded as being affiliated with the  
40 merged party.**

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

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

1 (1) of this section.]

2 **SECTION 33.** ORS 248.009 is amended to read:

3 248.009. (1) A minor political party shall file with the filing officer a copy of its organizational  
4 documents establishing its process for nominating candidates for public office. The organizational  
5 documents shall be filed not later than 30 days after they are adopted. The nominating process for  
6 candidates for election at the general election shall provide an equal opportunity to all registered  
7 members of the party within the electoral district to participate in the process of making nomi-  
8 nations or selecting the delegates who will make the nominations. A minor political party shall file  
9 copies of any changes to its organizational documents relating to nomination of candidates for public  
10 office not later than 30 days after the date any changes were made. The minor political party shall  
11 nominate candidates for public office only in accordance with the procedures set forth in its or-  
12 ganizational documents.

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

17 (3) Not later than the 10th day before any nominating convention of a minor political party,  
18 *[notice shall be published at least once in not fewer than three newspapers of general circulation within*  
19 *the electoral district for which the nomination will be made. If there are fewer than three newspapers*  
20 *of general circulation within the electoral district, notice shall be published at least once in one news-*  
21 *paper of general circulation within the electoral district for which the nomination will be made and*  
22 *other public notice shall be given that is reasonably calculated to assure that party members in the*  
23 *electoral district receive notice of the convention. The notice shall contain the time and place of the*  
24 *convention, and the office or offices for which nominations will be made.]* **the party shall publish**  
25 **reasonable notice of the convention, including the time and place of the convention, to those**  
26 **electors who are registered as affiliated with that party.**

27 **SECTION 34.** ORS 171.051 is amended to read:

28 171.051. (1) When any vacancy occurs in the Legislative Assembly due to death or recall or by  
29 reason of resignation filed in writing with the Secretary of State or a person is declared disqualified  
30 by the house to which the person was elected, the vacancy shall be filled by appointment if:

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

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

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

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

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

41 (2) The person appointed under the provisions of subsection (1) of this section shall be a citizen  
42 qualified to hold the office[,] **and** an elector of the affected legislative district *[and a member of the*  
43 *same political party for at least 180 days before the date on which the vacancy occurred. The political*  
44 *affiliation of a person appointed under subsection (1) of this section shall be determined under ORS*  
45 *236.100].* The appointment shall be made by the county courts or boards of county commissioners

1 of the affected counties pursuant to ORS 171.060 to 171.064. When the provisions of ORS 171.060 (1)  
 2 are applicable, the appointment shall be made from a list of not fewer than three nor more than five  
 3 nominees who have signed written statements indicating that they are willing to serve furnished by  
 4 the Secretary of State. If fewer than three names of nominees are furnished, a list shall not be  
 5 considered to have been submitted and the county courts or boards of county commissioners shall  
 6 fill the vacancy. The vacancy must be filled by appointment within 30 days after its occurrence or  
 7 not later than the time set for the convening of the special session described in subsection (1)(e) of  
 8 this section when that is the basis for filling the vacancy.

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

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

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

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

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

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

28 **SECTION 35.** ORS 171.060 is amended to read:

29 171.060. (1)(a) When any vacancy as is mentioned in ORS 171.051 exists in the office of Senator  
 30 or Representative [*affiliated with a major political party*] and that vacancy is to be filled by an ap-  
 31 pointing authority as provided in ORS 171.051, the Secretary of State forthwith shall notify [*the*  
 32 *person designated by the party to receive such notice.*] **each party that endorsed the candidate**  
 33 **whose office is vacant in the previous primary election or general election for that office.**

34 **(b) If one or more parties endorsed the candidate whose office is vacant as a candidate**  
 35 **in the previous general election for that office, all parties shall be qualified for purposes of**  
 36 **paragraph (c) of this subsection. If no party endorsed the candidate in the previous general**  
 37 **election for that office, the parties that endorsed the candidate in the previous primary**  
 38 **election shall be qualified for purposes of paragraph (c) of this subsection.**

39 **(c) Each qualified** [*The*] party shall pursuant to party rule nominate not fewer than three nor  
 40 more than five qualified persons to fill the vacancy. The nominating procedure shall reflect the  
 41 principle of one-person, one-vote to accord voting weight in proportion to the number of party  
 42 members represented. At the request of a party making a nomination, the county clerks of each  
 43 county constituting the district in which the vacancy exists shall assist the party in determining the  
 44 number of electors registered as members of the party in the district. A person shall not be nomi-  
 45 nated to fill the vacancy unless the person signs a written statement indicating that the person is

1 willing to serve in the office of Senator or Representative. As soon as the nominees have been ap-  
 2 pointed, but no later than 20 days after the vacancy occurs, the party **or parties** shall notify the  
 3 Secretary of State of the persons nominated. The notification shall be accompanied by the signed  
 4 written statement of each nominee indicating that the nominee is willing to serve in the office of  
 5 Senator or Representative. The Secretary of State shall notify the county courts or boards of county  
 6 commissioners of the counties constituting the district in which the vacancy exists of the nominees  
 7 and of the number of votes apportioned to each member of the county courts or boards of county  
 8 commissioners under ORS 171.062 and 171.064. The Secretary of State shall set a time for the  
 9 meeting of the county courts or boards of county commissioners in order to fill the vacancy and by  
 10 rule shall establish procedures for the conduct of the meeting. If the district is composed of more  
 11 than one county, the Secretary of State shall name a temporary chairperson and designate a meeting  
 12 place within the district where the county courts or boards of county commissioners shall convene  
 13 for the purpose of filling the vacancy, pursuant to ORS 171.051 (2).

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

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

30 **SECTION 36.** ORS 171.068 is amended to read:

31 171.068. (1) For purposes of ORS 171.060, 171.062 and 171.064, the county court or the board of  
 32 county commissioners which shall fill the vacancy in the Legislative Assembly in a district created  
 33 by reapportionment shall be the county court or board of county commissioners of each county any  
 34 part of which is in the district that is created by the reapportionment and includes the residence  
 35 from which the former Senator or Representative was elected.

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

41 [(3)] (2) This section shall apply only to a vacancy in the Legislative Assembly occurring after  
 42 the primary election next following reapportionment and before a person has been elected and  
 43 qualified to fill the vacancy.

44 **SECTION 37.** ORS 188.120 is amended to read:

45 188.120. (1) If a vacancy in election or office of Representative in Congress or United States

1 Senator occurs before the 61st day before the general election, the Governor shall call a special  
2 election to fill that vacancy.

3 (2) If a vacancy in election or office of United States Senator occurs after the 62nd day before  
4 the general election but on or before the general election, and if the term of that office is not reg-  
5 ularly filled at that election, the Governor shall call a special election to fill the vacancy.

6 (3) For any special election called by the Governor under subsection (1) or (2) of this section to  
7 fill a vacancy in election or office of United States Senator, the special election must occur not less  
8 than 80 days and not more than 150 days after the vacancy occurred.

9 (4) If a special election to fill the vacancy in election or office of Representative in Congress is  
10 called before the 80th day after the vacancy occurs, *[each major political party shall select its nomi-  
11 nee for the office and certify the name of the nominee to the Secretary of State. The Secretary of State  
12 shall place the name of the nominee on the ballot]* **any eligible individual may be nominated to the  
13 election by declaration of candidacy or nominating petition.**

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

21 **(6) Any special election or special primary election for voter choice office under this  
22 section must be conducted as elections for voter choice office, except that the Secretary of  
23 State may accept nominating petitions, declarations of candidacy and party endorsements in  
24 accordance with the schedule established by the secretary by rule.**

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

28 (b) A person appointed under this subsection must[:]

29 *[(A)]* be a citizen qualified to hold the office[: *and*].

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

32 *[(c)]* The political affiliation of a person appointed under this subsection shall be determined in ac-  
33 cordance with ORS 236.100.]

34 *[(d)] (c)* An appointment made under this subsection shall expire when the term of office ends  
35 or a successor to the office is elected and qualified under this section, whichever occurs first.

36 *[(e)] (d)* The Governor may not appoint the Governor to fill a vacancy in the office of United  
37 States Senator.

38 **SECTION 38. Section 39 of this 2026 Act is added to and made a part of ORS chapter 236.**

39 **SECTION 39. (1) Notwithstanding ORS 171.051, 171.060, 171.068, 236.215 and 236.217,  
40 whenever a vacancy in any voter choice office, as defined in ORS 249.002, is to be filled by  
41 appointment, any individual who is otherwise eligible may be appointed to fill the vacancy  
42 regardless of the individual's affiliation or nonaffiliation with a political party.**

43 **(2) Whenever a vacancy in any voter choice office is to be filled by election, the election  
44 must be conducted as an election in which electors elect candidates for a voter choice office.**

45 **SECTION 40. ORS 251.022 is amended to read:**

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

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

8 **SECTION 41.** ORS 251.026 is amended to read:

9 251.026. (1) The Secretary of State shall prepare and have printed in the voters' pamphlet for  
 10 the state primary election, the general election and any special election described in ORS 251.022  
 11 a statement containing, if applicable:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34 (b) Voter registration forms.

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

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

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

41 **(5) For each primary election, general election or special election statement of a candi-**  
 42 **date for a voter choice office, the Secretary of State shall display the name of any political**  
 43 **party that endorsed the candidate in the order specified by the candidate, preceded by the**  
 44 **phrase "Endorsed by:".**

45 **(6) A candidate for a voter choice office may not otherwise display a political party name**

1 **in a voters' pamphlet provided by the state.**

2 **SECTION 42.** ORS 253.540 is amended to read:

3 253.540. (1) Any military or overseas elector may secure a ballot by submitting an application  
4 as specified in subsection (2) of this section to the clerk of the county of the military or overseas  
5 elector's residence, or to the Secretary of State. If the application is addressed to the Secretary of  
6 State, the secretary shall forward it to the appropriate county clerk.

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

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

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

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

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

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

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

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

27 **SECTION 43.** ORS 253.565 is amended to read:

28 253.565. (1) Any military or overseas elector may secure a special ballot for a primary election  
29 or general election by making an application under this section if the elector believes that:

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

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

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

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

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

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

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

45 (e) A statement that for more than 20 days preceding the election the applicant's home residence

1 has been in this state, and giving the address of the last home residence;

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

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

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

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

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

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

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

21 **SECTION 44.** ORS 236.225 is amended to read:

22 236.225. (1) If vacancies exist at the same time in all of the offices of members of a county  
23 governing body, two qualified persons shall be appointed by the Governor, and one by the appointees  
24 of the Governor, to perform the duties of the offices until the vacancies are filled as provided by  
25 law. If vacancies exist at the same time in all but one of such offices, the Governor shall appoint  
26 one qualified person who, with the incumbent serving in office, shall appoint another, each to per-  
27 form the duties of the offices until the vacancies are filled. If county judge is one of the offices  
28 vacant, one of the appointments made by the Governor under this section shall be to the office of  
29 county judge.

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

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

40 **SECTION 45.** ORS 249.035 is amended to read:

41 249.035. A nominating petition<sup>1</sup>, *write-in form prepared under ORS 248.019 or 248.021* or decla-  
42 ration of candidacy relating to a candidate for:

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

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

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

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

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

6 **SECTION 46.** ORS 250.042 is amended to read:

7 250.042. If a signature sheet of a petition is not certified by the circulator as required under  
 8 ORS 198.430, 198.750, 221.031, 248.008, 249.061, [249.740,] 249.865, 250.045, 250.165, 250.265, 255.135,  
 9 261.115 and 545.025, signatures contained on the signature sheet may not be counted for purposes  
 10 of determining whether the petition contains the required number of signatures of electors.

11 **SECTION 47.** ORS 246.250 is amended to read:

12 246.250. (1) The county clerk may employ personnel and procure equipment, supplies, materials,  
 13 books, papers, records and facilities of every kind as the clerk considers necessary to facilitate and  
 14 assist in administering the election laws.

15 (2) The necessary expenses incurred by the county clerk in administering the election laws shall  
 16 be:

17 (a) Allowed by the county governing body and paid out of the county treasury; **and**

18 (b) **Reimbursed to the county by the Secretary of State.**

19 (3) The county clerk and deputies may administer oaths and affirmations in connection with the  
 20 performance of their functions in administering the election laws.

21 **SECTION 48.** ORS 249.006 is amended to read:

22 249.006. (1) Immediately upon being filed, a nominating petition, declaration of candidacy, with-  
 23 drawal, certificate of nomination or other document required to be filed under this chapter must be  
 24 dated and time stamped by the filing officer.

25 (2) Not more than five business days after a declaration of candidacy is filed under subsection  
 26 (1) of this section, a county elections official or city elections officer shall make the name of the  
 27 candidate and the office for which the candidate filed to be a candidate publicly available on the  
 28 website for the county or city.

29 (3) Not more than two business days after a candidate is determined by a county elections offi-  
 30 cial or city elections officer to be eligible to be a candidate, the county elections official or city  
 31 elections officer shall make the declaration of candidacy filed by the candidate under subsection (1)  
 32 of this section publicly available on the website for the county or city. *[This subsection does not*  
 33 *apply to any declaration of candidacy filed by a candidate for precinct committeeperson.]*

34 (4) Not more than two business days after a withdrawal is filed under subsection (1) of this  
 35 section, a county elections official or city elections officer shall make the withdrawal publicly  
 36 available on the website for the county or city.

37 (5)(a) If a county elections official or city elections officer does not make the information de-  
 38 scribed in subsections (2) to (4) of this section publicly available on the website for the county or  
 39 city, a person may request the information from the county elections official or city elections officer.  
 40 The county elections official or city elections officer shall provide the information requested under  
 41 this paragraph to the person not more than five business days after the official or officer receives  
 42 the request.

43 (b) A county elections official or city elections officer may charge and collect a fee from a per-  
 44 son who submits a request under paragraph (a) of this subsection if the person requests a physical  
 45 copy of the information.

1 (c) A county elections official or city elections officer may not charge or collect a fee from a  
 2 person who submits a request under paragraph (a) of this subsection if the person requests a digital  
 3 copy of the information or if the person requests only to inspect the information at the elections  
 4 office.

5 **SECTION 49.** ORS 254.056 is amended to read:

6 254.056. (1) The general election shall be held on the first Tuesday after the first Monday in  
 7 November of each even-numbered year. Except as provided in ORS 254.650, at the general election  
 8 officers of the state and subdivisions of the state, members of Congress and electors of President  
 9 and Vice President of the United States as are to be elected in that year shall be elected.

10 (2) The primary election shall be held on the third Tuesday in May of each even-numbered year.  
 11 At the primary election [*precinct committeepersons shall be elected and*] major political party candi-  
 12 dates shall be nominated for offices to be filled at the general election held in that year.

13 **SECTION 50.** ORS 260.005, as amended by section 10, chapter 9, Oregon Laws 2024, is amended  
 14 to read:

15 260.005. As used in this chapter:

16 (1)[(a)] “Candidate” means:

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

21 [(B)] (b) An individual who has solicited or received and accepted a contribution, made an ex-  
 22 penditure, or given consent to an individual, organization, political party or political committee to  
 23 solicit or receive and accept a contribution or make an expenditure on the individual’s behalf to  
 24 secure nomination or election to any public office at any time, whether or not the office for which  
 25 the individual will seek nomination or election is known when the solicitation is made, the contri-  
 26 bution is received and retained or the expenditure is made, and whether or not the name of the in-  
 27 dividual is printed on a ballot; or

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

29 [(b) For purposes of this section and ORS 260.035 to 260.156, “candidate” does not include a can-  
 30 didate for the office of precinct committeeperson.]

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

36 (3) Except as provided in ORS 260.007, “contribute” or “contribution” includes:

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

40 (A) For the purpose of influencing an election for public office or an election on a measure, or  
 41 of reducing the debt of a candidate for nomination or election to public office or the debt of a pol-  
 42 itical committee; or

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

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

1 (c) An expenditure by a person for a communication in support of or in opposition to a clearly  
 2 identified candidate or measure that is made with the cooperation or with the prior consent of, or  
 3 in consultation with, or at the request or suggestion of, a candidate or any agent or authorized  
 4 committee of the candidate, or any political committee or agent of a political committee supporting  
 5 or opposing a measure.

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

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

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

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

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

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

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

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

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

26 (9) "Filing officer" means:

27 (a) The Secretary of State:

28 (A) Regarding a candidate for public office;

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

30 (C) Regarding any measure; or

31 (D) Regarding any political committee.

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

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

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

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

40 (10) "Independent expenditure" means an expenditure by a person for a communication in sup-  
 41 port of or in opposition to a clearly identified candidate or measure that is not made with the co-  
 42 operation or with the prior consent of, or in consultation with, or at the request or suggestion of,  
 43 a candidate or any agent or authorized committee of the candidate, or any political committee or  
 44 agent of a political committee supporting or opposing a measure. For purposes of this subsection and  
 45 subsection (3) of this section:

- 1 (a) “Agent” means any person who has:
- 2 (A) Actual oral or written authority, either express or implied, to make or to authorize the
- 3 making of expenditures on behalf of a candidate or on behalf of a political committee supporting or
- 4 opposing a measure; or
- 5 (B) Been placed in a position within the campaign organization where it would reasonably ap-
- 6 pear that in the ordinary course of campaign-related activities the person may authorize expen-
- 7 ditures.
- 8 (b)(A) “Clearly identified” means, with respect to candidates:
- 9 (i) The name of the candidate involved appears;
- 10 (ii) A photograph or drawing of the candidate appears; or
- 11 (iii) The identity of the candidate is apparent by unambiguous reference.
- 12 (B) “Clearly identified” means, with respect to measures:
- 13 (i) The ballot number of the measure appears;
- 14 (ii) A description of the measure’s subject or effect appears; or
- 15 (iii) The identity of the measure is apparent by unambiguous reference.
- 16 (c) “Communication in support of or in opposition to a clearly identified candidate or measure”
- 17 means:
- 18 (A)(i) The communication, when taken as a whole and with limited reference to external events,
- 19 such as the proximity to the election, could only be interpreted by a reasonable person as containing
- 20 advocacy for the election or defeat of a clearly identified candidate for nomination or election to
- 21 public office, or the passage or defeat of a clearly identified measure; and
- 22 (ii) The electoral portion of the communication is unmistakable, unambiguous and suggestive of
- 23 only one meaning; or
- 24 (B)(i) The communication involves aggregate expenditures of more than \$250 by a person;
- 25 (ii) The communication refers to a clearly identified candidate or measure that will appear on
- 26 the ballot or to a political party; and
- 27 (iii) The communication is published and disseminated to the relevant electorate within 60 cal-
- 28 endar days before a primary election, 120 calendar days before a general election or 90 calendar
- 29 days before an election other than a primary election or a general election.
- 30 (d) “Made with the cooperation or with the prior consent of, or in consultation with, or at the
- 31 request or suggestion of, a candidate or any agent or authorized committee of the candidate, or any
- 32 political committee or agent of a political committee supporting or opposing a measure”:
- 33 (A) Means any arrangement, coordination or direction by the candidate or the candidate’s agent,
- 34 or by any political committee or agent of a political committee supporting or opposing a measure,
- 35 prior to the publication, distribution, display or broadcast of the communication. An expenditure
- 36 shall be presumed to be so made when it is:
- 37 (i) Based on information about the plans, projects or needs of the candidate, or of the political
- 38 committee supporting or opposing a measure, and provided to the expending person by the candidate
- 39 or by the candidate’s agent, or by any political committee or agent of a political committee sup-
- 40 porting or opposing a measure, with a view toward having an expenditure made; or
- 41 (ii) Made by or through any person who is or has been authorized to raise or expend funds, who
- 42 is or has been an officer of a political committee authorized by the candidate or by a political
- 43 committee or agent of a political committee supporting or opposing a measure, or who is or has been
- 44 receiving any form of compensation or reimbursement from the candidate, the candidate’s principal
- 45 campaign committee or agent or from any political committee or agent of a political committee

1 supporting or opposing a measure.

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

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

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

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

11 (14) "Measure" includes any of the following submitted to the people for their approval or re-  
12 jection at an election:

13 (a) A proposed law.

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

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

16 (d) Local, special or municipal legislation.

17 (e) A proposition or question.

18 (15) "Occupation" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

45 (23) "State office" means the office of Governor, Secretary of State, State Treasurer, Attorney

1 General, Commissioner of the Bureau of Labor and Industries, state Senator, state Representative,  
2 judge or district attorney.

3 **SECTION 51.** ORS 248.002 is amended to read:

4 248.002. As used in this chapter:

5 [(1) "Committee office" means chairperson, vice chairperson or other office the county or state cen-  
6 tral committee of a political party creates to govern the business of the committee.]

7 [(2)] (1) "County clerk" means the county clerk or the county official in charge of elections.

8 [(3)] (2) "Elector" means an individual qualified to vote under section 2, Article II, Oregon  
9 Constitution.

10 [(4)] (3) "Member" means an individual who is registered as being affiliated with the political  
11 party.

12 **SECTION 52.** ORS 248.004 is amended to read:

13 248.004. (1) A minor political party or a major political party shall have all the powers granted  
14 to a nonprofit corporation under ORS 65.077.

15 (2) A major or minor political party shall be treated for purposes of contractual, tort or other  
16 liability as a nonprofit corporation.

17 (3) Officers and employees of a major or minor political party, including officers and employees  
18 of local subdivisions of the parties, shall be treated as officers and employees of nonprofit corpo-  
19 rations for liability for all matters relating to the political party.

20 (4) Any member of a governing body of a major or minor political party, including local subdi-  
21 visions of the parties, shall be treated as directors of nonprofit corporations for liability for all  
22 matters relating to the political party. [*If the bylaws of a party designate a central committee, such*  
23 *as a state, county or congressional district central committee, as the governing body of the party, then*  
24 *the members of the central committee shall be directors of the party for purposes of this section.*]

25 (5) Notwithstanding ORS 65.157, creditors of a major or minor political party may not proceed  
26 against members of the political parties for liabilities members owe to the parties arising from their  
27 party membership.

28 (6) This section does not affect the liability of political committee directors, treasurers and  
29 candidates as provided in ORS chapter 260.

30 **SECTION 53.** ORS 248.006 is amended to read:

31 248.006. (1) An affiliation of electors becomes a major political party in this state and is qualified  
32 to make nominations at a primary election when a number of electors equal to at least 10 percent  
33 of the number of electors registered in this state are registered as members of the party not later  
34 than the 275th day before the date of a primary election. [*An affiliation of electors satisfying the re-*  
35 *quirements of this subsection shall be subject to the provisions of ORS 248.007 on the date the Secre-*  
36 *tary of State determines the registration requirements are satisfied.*]

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

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

45 (4) An affiliation of electors ceases to be a major political party if the registration requirements

1 of subsection (1) of this section are not satisfied by the 275th day before each primary election. The  
 2 affiliation of electors ceases to be a major political party on the date the Secretary of State deter-  
 3 mines that the registration requirement is not satisfied.

4 (5) When an affiliation of electors has not satisfied the registration requirement of subsection  
 5 (1) of this section for the first time, at the request of a representative of the affiliation of electors,  
 6 the Secretary of State shall determine not less than once each month whether at least 10 percent  
 7 of the number of eligible electors registered in this state are registered as members of the party.  
 8 After an affiliation of electors has qualified as a major political party, the Secretary of State shall  
 9 determine on the 271st day before each primary election whether the major political party has sat-  
 10 isfied the registration requirements described in subsection (3) of this section.

11 **SECTION 54. ORS 236.100, 236.215, 236.217, 248.007, 248.012, 248.015, 248.017, 248.019,**  
 12 **248.021, 248.023, 248.024, 248.026, 248.027, 248.029, 248.031, 248.033, 248.035, 248.043, 248.045,**  
 13 **248.072, 248.075, 248.085, 249.042, 249.046, 249.048, 249.068, 249.190, 249.200 and 254.025 are re-**  
 14 **pealed.**

15 **SECTION 55. (1) Sections 2, 3, 20, 21 and 39 of this 2026 Act, the amendments to ORS**  
 16 **171.051, 171.060, 171.068, 188.120, 236.225, 246.250, 248.002, 248.004, 248.006, 248.007, 248.008,**  
 17 **248.009, 248.017, 248.019, 248.021, 249.002, 249.006, 249.013, 249.020, 249.021, 249.023, 249.031,**  
 18 **249.035, 249.037, 249.042, 249.056, 249.064, 249.072, 249.076, 249.180, 249.205, 249.215, 249.830,**  
 19 **250.042, 251.022, 251.026, 253.540, 253.565, 254.005, 254.056, 254.076, 254.115, 254.135, 254.365,**  
 20 **254.370, 254.470, 254.555, 254.565, 254.650 and 260.005 by sections 4 to 18, 22 to 37 and 40 to 53**  
 21 **of this 2026 Act and the repeal of statutes by section 54 of this 2026 Act become operative**  
 22 **on March 1, 2027.**

23 (2) Sections 2, 3, 20, 21 and 39 of this 2026 Act, the amendments to ORS 171.051, 171.060,  
 24 171.068, 188.120, 236.225, 246.250, 248.002, 248.004, 248.006, 248.007, 248.008, 248.009, 248.017,  
 25 248.019, 248.021, 249.002, 249.006, 249.013, 249.020, 249.021, 249.023, 249.031, 249.035, 249.037,  
 26 249.042, 249.056, 249.064, 249.072, 249.076, 249.180, 249.205, 249.215, 249.830, 250.042, 251.022,  
 27 251.026, 253.540, 253.565, 254.005, 254.056, 254.076, 254.115, 254.135, 254.365, 254.370, 254.470,  
 28 254.555, 254.565, 254.650 and 260.005 by sections 4 to 18, 22 to 37 and 40 to 53 of this 2026 Act  
 29 and the repeal of statutes by section 54 of this 2026 Act apply to:

30 (a) Appointments and elections to public office on or after the operative date specified in  
 31 subsection (1) of this section.

32 (b) A certificate of nomination, nominating petition or declaration of candidacy filed prior  
 33 to the operative date specified in subsection (1) of this section for an election to a voter  
 34 choice office held on or after the operative date specified in subsection (1) of this section.

35 (c) Any vacancy occurring during the term of office for which the person who was elected  
 36 to the office that is vacant was elected on or after the operative date specified in subsection  
 37 (1) of this section.

38 (3) The Secretary of State and the county clerks may take any action before the opera-  
 39 tive date specified in subsection (1) of this section that is necessary to enable the secretary  
 40 and the county clerks to exercise, on and after the operative date specified in subsection (1)  
 41 of this section, all the duties, functions and powers conferred on the secretary and the  
 42 county clerks by sections 2, 3, 20, 21 and 39 of this 2026 Act, the amendments to ORS 171.051,  
 43 171.060, 171.068, 188.120, 236.225, 246.250, 248.002, 248.004, 248.006, 248.007, 248.008, 248.009,  
 44 248.017, 248.019, 248.021, 249.002, 249.006, 249.013, 249.020, 249.021, 249.023, 249.031, 249.035,  
 45 249.037, 249.042, 249.056, 249.064, 249.072, 249.076, 249.180, 249.205, 249.215, 249.830, 250.042,

1 **251.022, 251.026, 253.540, 253.565, 254.005, 254.056, 254.076, 254.115, 254.135, 254.365, 254.370,**  
2 **254.470, 254.555, 254.565, 254.650 and 260.005 by sections 4 to 18, 22 to 37 and 40 to 53 of this**  
3 **2026 Act, and the repeal of statutes by section 54 of this 2026 Act.**

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