

Senate Bill 1512

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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**.

Enacts Interstate Compact for Agreement Among the States to Elect the President by National Popular Vote.

Refers Act to people for their approval or rejection at next general election held throughout this state.

A BILL FOR AN ACT

Relating to the Agreement Among the States to Elect the President by National Popular Vote; and providing that this Act shall be referred to the people for their approval or rejection.

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

SECTION 1. The Agreement Among the States to Elect the President by National Popular Vote is hereby enacted into law and entered into on behalf of this state with all other states legally joining in the compact in a form substantially as follows:

ARTICLE I MEMBERSHIP

Any State of the United States and the District of Columbia may become a member of this agreement by enacting this agreement.

ARTICLE II RIGHT OF THE PEOPLE IN MEMBER STATES TO VOTE FOR PRESIDENT AND VICE PRESIDENT

Each member state shall conduct a statewide popular election for President and Vice President of the United States.

ARTICLE III MANNER OF APPOINTING PRESIDENTIAL ELECTORS IN MEMBER STATES

Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine the number of votes for each

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 presidential slate in each State of the United States and in the District of Columbia in which
2 votes have been cast in a statewide popular election and shall add such votes together to
3 produce a “national popular vote total” for each presidential slate.

4 The chief election official of each member state shall designate the presidential slate with
5 the largest national popular vote total as the “national popular vote winner.”

6 The presidential elector certifying official of each member state shall certify the ap-
7 pointment in that official’s own state of the elector slate nominated in that state in associ-
8 ation with the national popular vote winner.

9 At least six days before the day fixed by law for the meeting and voting by the presi-
10 dential electors, each member state shall make a final determination of the number of pop-
11 ular votes cast in the state for each presidential slate and shall communicate an official
12 statement of such determination within 24 hours to the chief election official of each other
13 member state.

14 The chief election official of each member state shall treat as conclusive an official
15 statement containing the number of popular votes in a state for each presidential slate made
16 by the day established by federal law for making a state’s final determination conclusive as
17 to the counting of electoral votes by Congress.

18 In event of a tie for the national popular vote winner, the presidential elector certifying
19 official of each member state shall certify the appointment of the elector slate nominated in
20 association with the presidential slate receiving the largest number of popular votes within
21 that official’s own state.

22 If, for any reason, the number of presidential electors nominated in a member state in
23 association with the national popular vote winner is less than or greater than that state’s
24 number of electoral votes, the presidential candidate on the presidential slate that has been
25 designated as the national popular vote winner shall have the power to nominate the presi-
26 dential electors for that state and that state’s presidential elector certifying official shall
27 certify the appointment of such nominees.

28 The chief election official of each member state shall immediately release to the public
29 all vote counts or statements of votes as they are determined or obtained.

30 This Article shall govern the appointment of presidential electors in each member state
31 in any year in which this agreement is, on July 20, in effect in states cumulatively possessing
32 a majority of the electoral votes.

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34 **ARTICLE IV**
35 **OTHER PROVISIONS**
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37 This agreement shall take effect when states cumulatively possessing a majority of the
38 electoral votes have enacted this agreement in substantially the same form and the
39 enactments by such states have taken effect in each state.

40 Any member state may withdraw from this agreement, except that a withdrawal occur-
41 ring six months or less before the end of a President’s term shall not become effective until
42 a President or Vice President shall have been qualified to serve the next term.

43 The chief executive of each member state shall promptly notify the chief executive of all
44 other states of when this agreement has been enacted and has taken effect in that official’s
45 state, when the state has withdrawn from this agreement, and when this agreement takes

1 effect generally.

2 This agreement shall terminate if the electoral college is abolished.

3 If any provision of this agreement is held invalid, the remaining provisions shall not be
4 affected.

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6 **ARTICLE V**
7 **DEFINITIONS**
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9 For purposes of this agreement,

10 "Chief executive" shall mean the Governor of a State of the United States or the Mayor
11 of the District of Columbia;

12 "Elector slate" shall mean a slate of candidates who have been nominated in a state for
13 the position of presidential elector in association with a presidential slate;

14 "Chief election official" shall mean the state official or body that is authorized to certify
15 the total number of popular votes for each presidential slate;

16 "Presidential elector" shall mean an elector for President and Vice President of the
17 United States;

18 "Presidential elector certifying official" shall mean the state official or body that is au-
19 thorized to certify the appointment of the state's presidential electors;

20 "Presidential slate" shall mean a slate of two persons, the first of whom has been nomi-
21 nated as a candidate for President of the United States and the second of whom has been
22 nominated as a candidate for Vice President of the United States, or any legal successors to
23 such persons, regardless of whether both names appear on the ballot presented to the voter
24 in a particular state;

25 "State" shall mean a State of the United States and the District of Columbia; and

26 "Statewide popular election" shall mean a general election in which votes are cast for
27 presidential slates by individual voters and counted on a statewide basis.

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30 **SECTION 2.** This 2018 Act shall be submitted to the people for their approval or rejection
31 at the next regular general election held throughout this state.
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