

A-Engrossed
Senate Bill 761

Ordered by the Senate June 17
Including Senate Amendments dated June 17

Sponsored by COMMITTEE ON RULES

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.

Requires that only elector who has personally printed copy, **or requested that separate person print copy**, of electronic signature sheet for petition or prospective petition may sign signature sheet. **Requires elector to certify that elector received electronic signature sheet in compliance with requirement.**

Requires template for electronic signature sheet to include final measure summary, ballot title and full and correct copy of measure to be initiated or referred.

[Prohibits future use of electronic signature sheets for particular petition or prospective petition if Secretary of State determines that one or more electors who have not personally printed electronic signature sheet have signed and submitted sheet to secretary.]

A BILL FOR AN ACT

Relating to electronic signature sheets; amending ORS 250.052.

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

SECTION 1. ORS 250.052, as amended by section 18, chapter 70, Oregon Laws 2018, is amended to read:

250.052. (1)(a) For each state initiative, referendum or recall petition, the Secretary of State shall prepare official templates of the cover and signature sheets for the petition. Except as provided in this section, templates of cover and signature sheets for state initiative and referendum petitions are subject to the requirements of ORS 250.045. The templates of signature sheets to be used by persons who are being paid to obtain signatures on the petition shall be a different color from the sheets to be used by persons who are not being paid to obtain signatures on the petition.

(b) For each prospective petition for a state measure to be initiated the secretary shall prepare official templates of the cover and signature sheets. The templates of signature sheets to be used by persons who are being paid to obtain signatures on the prospective petition shall be a different color from the sheets to be used by persons who are not being paid to obtain signatures on the prospective petition. Each signature sheet for the prospective petition shall:

(A) Contain a notice describing the meaning of the color of the signature sheet; and

(B) If one or more persons will be paid for obtaining signatures of electors on the prospective petition, contain a notice stating: "Some Circulators For This Prospective Petition Are Being Paid." The notice shall be in boldfaced type and shall be prominently displayed on the sheet.

(2) A person obtaining signatures on a state initiative, referendum or recall petition or a prospective petition for a state measure to be initiated may use only the cover and signature sheets contained in the official templates prepared for the petition or prospective petition. A person who is being paid to obtain signatures on the petition or prospective petition shall use the signature

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 sheet template designated for use by persons being paid to obtain signatures. A person who is not
2 being paid to obtain signatures on the petition or prospective petition shall use the signature sheet
3 template designated for use by persons who are not being paid to obtain signatures.

4 (3)(a) The secretary shall issue templates for a petition or prospective petition only to a chief
5 petitioner of the petition or prospective petition or to an agent designated by a chief petitioner.

6 (b) If the ballot title for a state initiative petition has been challenged under ORS 250.085, the
7 secretary may not issue an official template for the initiative petition until the Supreme Court has
8 certified a final ballot title.

9 (4) The secretary shall issue official templates to a chief petitioner or designated agent not later
10 than:

11 (a) Three business days after the deadline for filing a petition under ORS 250.085 relating to a
12 ballot title certified by the Attorney General for the state initiative petition or, if a petition is filed
13 with the Supreme Court under ORS 250.085, three business days after the Supreme Court certifies
14 to the secretary a final ballot title for the state initiative petition;

15 (b) Three business days after a prospective petition is filed under ORS 249.865 or 250.045 for a
16 state recall petition or state referendum petition; or

17 (c) Three business days after the chief petitioner files a statement with the secretary under ORS
18 250.045 (2) for a prospective petition for a state measure to be initiated.

19 (5) The secretary by rule shall establish a process by which a chief petitioner of a state initi-
20 ative, referendum or recall petition or a prospective petition for a state measure to be initiated may
21 request a modification of the templates issued under subsection (4) of this section.

22 (6)(a) In addition to the templates prepared under subsections (1) to (5) of this section, for each
23 state initiative, referendum or recall petition or prospective petition, the secretary shall prepare an
24 official electronic template of a signature sheet for the petition or prospective petition.

25 (b)(A) A template prepared under this subsection shall *[allow]* **provide:**

26 (i) Space for the signature of one elector **to signify support for the state initiative, refer-**
27 **endum or recall petition or prospective petition; and**

28 (ii) **Space for the signature of the same elector to certify that the elector received a copy**
29 **of the electronic signature sheet in compliance with paragraph (c)(B) of this subsection.**

30 (B) **The Secretary of State or county clerk may tally only electronic signature sheets**
31 **that are signed in both spaces described in this paragraph.**

32 (c)(A) An elector may print a copy of the electronic signature sheet for a petition or prospective
33 petition, sign the sheet and deliver the signed sheet to a chief petitioner or an agent designated by
34 a chief petitioner.

35 (B) **Only an elector who either has personally printed a copy of the electronic signature**
36 **sheet of a petition or prospective petition or has requested that a separate person print a**
37 **copy of the electronic signature sheet specifically for the elector may sign the sheet. A copy**
38 **of an electronic signature sheet may not be signed by an elector who did not either print the**
39 **sheet or request that the sheet be printed specifically for the elector.**

40 (d) Electronic templates described in this subsection are subject to the requirements of ORS
41 250.045, other than ORS 250.045 [(6),] (9) and (10), **and the template must include a full and**
42 **correct copy of the measure to be initiated or referred.**

43 (e) **Except as provided in paragraph (c)(B) of this subsection, a person who is obtaining**
44 **signatures on a petition or prospective petition, whether paid or unpaid, may not provide a**
45 **printed electronic signature sheet to an elector.**

1 (7) The secretary shall adopt rules prescribing the contents and method of production of official
2 templates required under this section.
3 _____