

Enrolled House Bill 2614

Sponsored by Representatives KITTS, NOLAN

CHAPTER

AN ACT

Relating to elections; creating new provisions; and amending ORS 249.722.

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

SECTION 1. Section 2 of this 2005 Act is added to and made a part of ORS chapter 254.

SECTION 2. (1) An elector may not participate in more than one nominating process for each partisan public office to be filled at the general election.

(2) An elector is considered to have participated in the nominating process for each partisan public office listed on the ballot at a primary election if the elector returned a ballot of a major political party at the primary election.

(3) An elector is considered to have participated in the nominating process for a partisan public office listed on the ballot at the general election if:

(a) A minor political party nominated a candidate for that office in the manner specified by the party in documents filed under ORS 248.009 and the elector participated in the nominating process; or

(b) The elector participated in the nominating process for that office by signing the minutes of an assembly of electors under ORS 249.735 or by signing a certificate of nomination made by individual electors under ORS 249.740.

(4) If a filing officer described in ORS 249.722 determines that an elector who has signed the minutes of an assembly of electors under ORS 249.735 or a certificate of nomination under ORS 249.740 has attempted to participate in more than one nominating process for the same office to be filled at the general election, the signature of the elector may not be considered for purposes of ORS 249.735 or 249.740.

SECTION 3. ORS 249.722 is amended to read:

249.722. (1) Except as provided in subsection (3) of this section, a certificate of nomination of a candidate for public office shall be filed not sooner than the [415th] 15th day after the date of the primary election and not later than the 70th day before the date of the general election.

(2) A certificate of nomination of a candidate for:

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

(b) County office shall be filed with the county clerk.

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

(3) For a special election, including an election to fill a vacancy that occurs after the 70th day before the general election, the Secretary of State by rule may adopt a schedule specifying the period within which a certificate of nomination must be filed. If the Secretary of State does not adopt

a rule under this subsection, a certificate of nomination must be filed before the 61st day preceding the election.

SECTION 4. The amendments to ORS 249.722 by section 3 of this 2005 Act do not affect any certificate of nomination filed prior to the effective date of this 2005 Act.

Passed by House May 17, 2005

Received by Governor:

Repassed by House June 30, 2005

.....M.,....., 2005

Approved:

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Chief Clerk of House

.....M.,....., 2005

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Speaker of House

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Governor

Passed by Senate June 29, 2005

Filed in Office of Secretary of State:

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President of Senate

.....M.,....., 2005

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Secretary of State