

Senate Bill 1015

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 **as introduced**.

Directs county clerk to count write-in votes received by candidate for President of United States at general election if candidate has filed declaration with Secretary of State. Specifies contents of declaration.

A BILL FOR AN ACT

1
2 Relating to write-in votes; creating new provisions; and amending ORS 248.355 and 254.500.

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

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

5 **SECTION 2. A write-in candidate for the office of President of the United States at the**
6 **general election may file a declaration of write-in candidacy with the Secretary of State not**
7 **later than two weeks prior to the date of the general election. The declaration shall be**
8 **signed by the candidate and shall include:**

9 (1) **The name and address of the candidate for President;**

10 (2) **The names and addresses of the candidates for elector of President who have signed**
11 **a pledge to support the candidate for President;**

12 (3) **A copy of the pledge of support signed by each candidate for elector of President; and**

13 (4) **A statement signed by each candidate for elector of President that the candidate ac-**
14 **cepts selection as an elector of President.**

15 **SECTION 3. ORS 254.500 is amended to read:**

16 254.500. (1) This section governs the tally of votes cast for persons whose names were not
17 printed on the ballot but are written in by electors. All [*such*] write-in votes for each office on the
18 ballot shall be tallied together, except as follows:

19 (a) If the total number of write-in votes for candidates for the same nomination or office equals
20 or exceeds the number of votes cast for any candidate for the same nomination or office on the
21 ballot who appears to have been nominated or elected, the county clerk shall tally all write-in votes
22 cast for the office to show the total number of votes cast for each write-in candidate.

23 (b) If no names of candidates are printed on the ballot for an office, the county clerk shall tally
24 the votes cast for each candidate for the office who received a vote.

25 (c) **At the general election, the county clerk shall tally write-in votes for each candidate**
26 **for the office of President of the United States who has filed a declaration described in sec-**
27 **tion 2 of this 2005 Act.**

28 (2) [*No*] **A person other than the county clerk, a member of a counting board or any other**
29 **elections official designated by the county clerk may not tally write-in votes.**

30 **SECTION 4. ORS 248.355 is amended to read:**

31 248.355. (1) In a year when a President and Vice President of the United States are to be nom-

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 inated and elected, each political party nominating candidates for those offices shall select a number
2 of candidates for elector of President and Vice President equal to the total number of Senators and
3 Representatives to which this state is entitled in Congress.

4 (2) A candidate for elector when selected shall sign a pledge that, if elected, the candidate will
5 vote in the electoral college for the candidates of the party for President and Vice President. The
6 Secretary of State shall prescribe the form of the pledge. **Except as provided in section 2 of this**
7 **2005 Act**, the party shall certify the names of the selected candidates for elector to the Secretary
8 of State not later than the 70th day before the election of electors.

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