



## Public Officer Resignation or Justification


If the recall petition contains the required number of valid signatures, the public officer may submit in person, by mail, by fax, or as an attachment by email either:


→ a written resignation to the elections official


 The resignation is accepted and takes effect on the day it is offered.

or

 Form SEL 352 Statement of Justification explaining, in 200 words or less, the public officer's course in office.

 The factual information provided in the public officer's statement must be true.

 Supplying false information may result in conviction of a felony with a fine of up to \$125,000 and/or a prison sentence of up to 5 years. ORS 260.715, 260.993

 The elections official schedules the recall election. A recall election will be scheduled even if the public officer fails to submit an SEL 352 by the required deadline.


The public officer continues to perform the duties of the office until the result of the election is officially declared by the elections official, which must be no later than 30 days after the election is held.

 See the Recall Petition Process outlined on page 6 for the deadline to submit resignation or SEL 352.

## Recall Election

If the public officer does not resign within five days, the election must be held no later than the 35th day after the last day for the public officer to resign. The elections official completes the recall process by coordinating with the county elections official to schedule and conduct the election. **Each recall ballot will include all of the following:**

- ✓ the chief petitioner's reasons for demanding the recall exactly as submitted by the chief petitioner on form SEL 350;
- ✓ an exact reprint of the public officer's statement of justification from form SEL 352, if submitted;
- ✓ the question – Do you vote to recall \_\_\_\_\_ from the office of \_\_\_\_\_ ?

 With the elected official's name printed in the first blank space and the public office held by the elected official printed in the second blank space;

and

- ✓ area to record yes or no vote.

The elections official will provide a copy of the results to the public officer.

**If the recall election is successful** the position becomes vacant and is filled in accordance with state statute or local charter or ordinance

**If the recall election is unsuccessful**, the public official remains in office and any additional recall petitions that are filed against the same person during the same term must be accompanied by a deposit that is equal to the cost to conduct the first recall election.