

Bond Case Briefs

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BALLOT INITIATIVES - OREGON

Wilson v. Rosenblum

Supreme Court of Oregon, En Banc - December 14, 2017 - P.3d - 362 Or. 226 - 2017 WL 6379648

Challengers sought review of the legal sufficiency of Attorney General's certified ballot title for an initiative petition regarding taxes on tobacco products.

The Supreme Court of Oregon held that:

- Ballot title's proposed caption that stated that proposed initiative would "increase cigarette taxes" was legally insufficient;
- Any reference in caption to the amount of proposed increase in the cigarette tax had to be expressed in terms of an amount per pack, not an amount per cigarette;
- Caption and "result of 'yes' vote" statement were not required to state that the measure applied retroactively;
- Proposed initiative would not necessarily increase taxes on cigars;
- Caption and "result of 'yes' vote" statement were not misleading in mentioning only limitations on the uses of revenue from cigarette taxes; and
- Ballot title's summary was not required to state that initiative would reduce revenue for entities that relied on existing cigarette-tax revenue.