

House Bill 2363

Sponsored by Representative THATCHER; Representative WEIDNER (Presession filed.)

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**.

Requires persons registering to vote for first time in this state to supply acceptable evidence of residency. Defines what constitutes acceptable evidence of residency.

Becomes operative January 1, 2014.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to voter registration; creating new provisions; amending ORS 247.012; and declaring an
3 emergency.

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

5 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 247.**

6 **SECTION 2. (1) A person registering to vote in this state for the first time shall supply
7 acceptable evidence of residency with the person's completed:**

8 (a) **Voter registration card; or**

9 (b) **Voter registration portion of the application for issuance or renewal of a driver li-
10 cense, issuance of a state identification card under ORS 807.400 or a change of address at
11 an office of the Department of Transportation under ORS 247.017.**

12 (2) **Acceptable evidence of residency includes:**

13 (a) **A valid driver license or state identification card.**

14 (b) **If the person does not have a valid driver license or state identification card, the last
15 four digits of the person's Social Security number.**

16 (c) **If the person does not have evidence of residency listed in paragraph (a) or (b) of this
17 subsection, a copy of one of the following documents that shows the name and address of the
18 person:**

19 (A) **Valid photo identification.**

20 (B) **A current utility bill.**

21 (C) **A current bank statement.**

22 (D) **A current government check, paycheck or other government document.**

23 (3) **If a person who is registering to vote in this state for the first time has not submitted
24 acceptable evidence of residency by the deadline in ORS 247.025, the person may vote in an
25 election only if acceptable evidence of residency is received in the office of the county clerk
26 for the county in which the person resides no later than 8 p.m. on the day of the election.**

27 **SECTION 3. ORS 247.012 is amended to read:**

28 247.012. (1) A qualified person may register to vote or update a registration to vote by:

29 (a) Delivering by mail or otherwise a completed registration card to any county clerk, the Sec-
30 retary of State, any office of the Department of Transportation or any designated voter registration

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 agency as described in ORS 247.208;

2 (b) Personally delivering the card to an official designated by a county clerk under subsection
3 [(7)] **(9)** of this section;

4 (c) Completing the voter registration portion of the application for issuance or renewal of a
5 driver license, issuance of a state identification card under ORS 807.400 or a change of address at
6 an office of the Department of Transportation under ORS 247.017; or

7 (d) Completing a registration card using the electronic voter registration system described in
8 ORS 247.019.

9 (2) If a registration card is mailed or delivered to:

10 (a) Any person other than a county clerk or the Secretary of State, the person shall forward the
11 card to a county clerk or the Secretary of State not later than the fifth day after receiving the card;
12 or

13 (b) The Secretary of State or a county clerk for a county other than the county in which the
14 person applying for registration resides, the Secretary of State or county clerk shall forward the
15 card to the county clerk for the county in which the person resides not later than the fifth day after
16 receiving the card.

17 (3) Registration of a qualified person occurs:

18 (a) [*When*] **On the date** a legible, accurate and complete registration card is received in the
19 office of any county clerk, the Office of the Secretary of State, an office of the Department of
20 Transportation, a designated voter registration agency under ORS 247.208 or at a location desig-
21 nated by a county clerk under subsection [(7)] **(9)** of this section;

22 (b) On the date a registration card is postmarked if the card is received after the 21st day im-
23 mediately preceding an election but is postmarked not later than the 21st day immediately preceding
24 the election and is addressed to an office of any county clerk, the Office of the Secretary of State,
25 an office of the Department of Transportation or any designated voter registration agency as de-
26 scribed in ORS 247.208; or

27 (c) In the case of a registration card missing a date of birth, containing an incomplete date of
28 birth or containing an unintentional scrivener's error that is supplied or corrected as described in
29 subsection [(4) or] (6) **or (8)** of this section, on the date that registration would have occurred if the
30 registration card had not been missing the date of birth, contained an incomplete date of birth or
31 contained the scrivener's error.

32 **(4) In the case of a person registering to vote in this state for the first time, registration**
33 **of a qualified person occurs as described in subsection (3) of this section if a registration**
34 **card is accompanied by acceptable evidence of residency listed in section 2 of this 2013 Act.**

35 **(5) Except as provided in ORS 247.125, the county clerk for the county in which the per-**
36 **son resides shall register the person if:**

37 [(4)] (a) [*Except as provided in ORS 247.125, if a*] **The person's** registration card is legible, ac-
38 curate and contains, at a minimum, the registrant's name, residence address, date of birth and
39 signature[, *the county clerk shall register the person.*]; **and**

40 **(b) For a person registering to vote in this state for the first time, the person's regis-**
41 **tration card is accompanied by acceptable evidence of residency listed under section 2 of this**
42 **2013 Act.**

43 **(6) If [this] information or evidence of residency required under subsection (5) of this sec-**
44 **tion is not supplied [is missing from the registration card] or the date of birth is incomplete, the**
45 **county clerk shall attempt to contact the person to obtain the [missing or incomplete] information**

1 **or evidence.** The county clerk may supply the registrant's date of birth from any previous regis-
 2 tration of the registrant.

3 [(5)] (7) If a registration card meets the requirements of subsection [(4)] (5) of this section but
 4 is missing an indication of political party affiliation, the registrant [shall be] **is** considered not af-
 5 filiated with any political party. This subsection does not apply if an elector is updating a registra-
 6 tion.

7 [(6)] (8) If a registration card contains an unintentional scrivener's error, the county clerk may
 8 attempt to contact the person to correct the error.

9 [(7)] (9) A county clerk may appoint officials to accept registration of persons at designated lo-
 10 cations. The appointments and locations [shall] **must** be in writing and filed in the office of the
 11 county clerk. The county clerk [shall be] **is** responsible for the performance of duties by those ap-
 12 pointed.

13 [(8)] (10) A registration [card received and accepted] **that occurs** under this section [shall be]
 14 **is** considered an active registration.

15 [(9)] (11) A registration may be updated at any time.

16 **SECTION 4. (1) Section 2 of this 2013 Act applies only to persons who register to vote in**
 17 **this state for the first time on or after the operative date of section 2 of this 2013 Act.**

18 **(2) The amendments to ORS 247.012 by section 3 of this 2013 Act apply only to voter**
 19 **registration cards received, delivered or completed on or after the operative date of the**
 20 **amendments to ORS 247.012 by section 3 of this 2013 Act.**

21 **SECTION 5. (1) Except as provided in subsection (2) of this section, section 2 of this 2013**
 22 **Act and the amendments to ORS 247.012 by section 3 of this 2013 Act become operative on**
 23 **January 1, 2014.**

24 **(2) The Secretary of State and any county clerk or county official in charge of elections**
 25 **may take any action under section 2 of this 2013 Act and ORS 247.012, as amended by section**
 26 **3 of this 2013 Act, prior to the operative date specified in subsection (1) of this section that**
 27 **is necessary to enable the secretary, county clerk or county official to exercise, on and after**
 28 **the operative date specified in subsection (1) of this section, all the duties, functions and**
 29 **powers conferred on the secretary, county clerk or county official by section 2 of this 2013**
 30 **Act and the amendments to ORS 247.012 by section 3 of this 2013 Act.**

31 **SECTION 6. This 2013 Act being necessary for the immediate preservation of the public**
 32 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
 33 **on its passage.**

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