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June 20, 2019

Chair Holvey and Members of the House Rules Committee,

SB 224 A is the Secretary of State's Elections omnibus bill for this session. Our division has identified several changes that will help our agency work more efficiently and with more clarity while making elections more accessible to voters.

The A-Engrossed version of the bill is a consensus work product, and we thank the Senate Rules Committee for working with us to develop those changes.

We have attached a section by section summary for your information and are happy to answer any questions you may have.

Sincerely,

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Senate Bill 224 A

Section 1

Removes voter participation threshold and lack of registration record update as reasons to inactivate voter.

- Amends ORS 247.013. Removes the requirement and related prohibitions for county clerk to inactivate the registration of an elector who has not voted or updated their registration in at least 5 years.
- The US Supreme Court majority reasoned that Ohio's practice would violate the "failure-to-vote" clause "only if it removes registrants for no reason other than their failure to vote."

Sections 2, 3 and 4

Permits military and overseas voters to request ballot by email or fax.

- Amends ORS 253.540. Specifies a ballot application from a military or overseas voter may be submitted by mail, email, fax or other means adopted by administrative rule.
- Amends ORS 253.565. Allows a request for a special ballot (submarine ballot) made by a military or overseas voter may be submitted by mail, email, fax or other means adopted by administrative rule.
- Amends ORS 246.021. Adds ORS 253.540 and 253.565 as exceptions to requirement that ballots, voter registration cards or petitions requiring signatures of voters be physically submitted.

Sections 5 and 6

Clarifies parameters for recognized political parties to receive a free voter file.

- Amends ORS 247.910. Updates deadline for a political party to request a free list of active voters from no later than the 21st day before a primary, general or special congressional election to no earlier than six months before and no later than the 15th day before a primary, general or special election. Provides for a political party to request the list from the Secretary of State and specifies that a party may make no more than two separate requests per primary, general or special election. Changes county clerk

references to Secretary of State. Requires Secretary of State to provide list requested under this section no later than 10 days after receiving the request. Provides the voter file may not contain any information that may not be publicly disclosed under section 21, chapter 70, Oregon Laws 2018.

- Amends ORS 247.945. Adds list requested under ORS 247.940 as an exception to requirement for Secretary of State to charge \$500 for a statewide voter file. Provides the voter file may not contain any information that may not be publicly disclosed under section 21, chapter 70, Oregon Laws 2018.
- Current statute requires political parties to go to each of the 36 county election offices to receive their free voter lists. After OCVR was created it is much easier and more efficient for the state to provide the lists and all of the political parties have supported this since they only have to go to one place to get a statewide list instead of 36.

Section 7

Extends liability exemption to Secretary of State for release of protected residence address.

- Amends ORS 247.965. Provides Secretary of State shall not be held liable for granting or denying a request to exempt residence address or any unauthorized release of an exempt residence address.
- If Secretary of State is providing lists in Section 5 then this extension of liability is necessary and consistent with the current process at the counties.

Section 8

Updates elections for which random alphabet must be produced.

- Amends ORS 254.155. Specifies that the requirement for the Secretary of State to create and distribute the random alphabet used to order candidate names on the ballot only applies if there is at least one contested candidate race on the ballot.

Section 9

Clarifies calculation date used to determine the proportion of county commissioner votes for a legislative vacancy.

- Amends ORS 171.062. Clarifies date used to calculate the proportion of votes each county is entitled to if a vacancy if a legislative district located in more than one county

occurs. The calculation will either use the number of voters registered on the date the office becomes vacant or when the resignation becomes binding whichever occurs first.

- With the high number of legislative vacancies last year it became clear that the statutes are not clear on what date to use to calculate how many registered voters are in the impacted district. This Section simply states that date. If another date is preferred that is fine, we just need a date defined.

Section 10

Includes community college districts and 9-1-1 communications districts in the definition of district.

- Amends ORS 255.012. Includes community college and 911 communication districts in the definition of districts which are subject to the provisions of Oregon election law.

Sections 11, 12 and 13

Amends the geographic distribution requirements for signatures on candidate nominating petitions.

- Amends ORS 249.068 (as amended by section 13, chapter 70, Oregon Laws 2018). Simplifies the geographic distribution requirement for signatures gathered on a major party candidate nominating petition. If the office is a statewide office the petition must contain the signatures of at least 100 voters registered in each congressional district. For a congressional district office the petition must contain the signatures of at least 10 voters in each of at least one-fourth of the state house of representative districts in the congressional district. Deletes the distribution requirements for state senator and state representative offices, as well as county and city offices.
- Amends ORS 249.072 (as amended by section 12, chapter 70, Oregon Laws 2018). Simplifies the geographic distribution requirement for signatures gathered on a nonpartisan candidate nominating petition. If the office is a statewide office the petition must contain the signatures of at least 100 voters registered in each congressional district. Deletes distribution requirements for all other nonpartisan offices.
- Amends ORS 249.078. Deletes distribution requirements for a major political party nominating petition for the office of President.

Section 14

Adds reference to recall requirements that are located in ORS chapter 250.

- Amends ORS 249.865. Provides that the production and circulation of a recall petition must comply with the recall provisions in ORS 250.048 and 250.052. Deletes provision allowing the treasurer of the recall committee to appear on the cover sheet instead of the chief petitioner as well as the provision invalidating the prospective petition for intention violations of ORS 249.865(1) and (2).

Section 15 through 29

Restates the contents of HB 2471 of the 2019 legislative session regarding the process for selecting Precinct Committee persons. This is being done so that the law will be effective this September when the candidate filing period opens as opposed to the January 1, 2020 effective date that was in HB 2471.

Section 30 and 31

Extends the sunset for calculation of major and minor party status to November 3, 2020.

Section 33

Repeal of exclusive use of party name.

- Repeals ORS 248.010. Repeals a major or minor political party's exclusive right to use, in whole or in part, the name of the political party.
- In the court case Freedom Socialist Party v. Bradbury this statute was ruled to violate the Oregon Constitution.

Section 34

Repeals HB 2471.

Section 35

Provisions of SB 224 take effect on the 91st day after the legislature adjourns sine die.