

Senate Bill 838

Sponsored by Senator FAGAN

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**.

Lowers voting age from 18 years old to 16 years old.

Takes effect only if ___ Joint Resolution ___ (2019) (LC 3291) is approved by people at regular general election held in November 2020. Takes effect on effective date of constitutional amendment proposed in ___ Joint Resolution ___ (2019) (LC 3291).

A BILL FOR AN ACT

1
2 Relating to age at which elector may vote; amending ORS 247.016, 253.540, 253.565 and 254.068; and
3 prescribing an effective date.

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

5 **SECTION 1.** ORS 247.016 is amended to read:

6 247.016. *[(1) Subject to this section,] An otherwise qualified person who is at least 16 years of
7 age may register to vote.*

8 *[(2) A person who registers to vote under subsection (1) of this section may not vote in an election
9 until the person attains the age of 18 years.]*

10 *[(3) If a person who registers to vote under subsection (1) of this section will be under 18 years
11 of age on the date of the next election held on a date listed in ORS 171.185 or the next special election,
12 the person's voter registration information, including but not limited to the person's name and any
13 identifying information, may not be disclosed as a public record under ORS 192.311 to 192.478.]*

14 **SECTION 2.** ORS 253.540 is amended to read:

15 253.540. (1) Any military or overseas elector may secure a ballot by submitting an application
16 as specified in subsection (2) of this section to the clerk of the county of the military or overseas
17 elector's residence, or to the Secretary of State. If the application is addressed to the Secretary of
18 State, the secretary shall forward it to the appropriate county clerk.

19 (2) An application for a ballot by a military or overseas elector shall be made in the form of a
20 written request. The application shall be valid for every subsequent election until the elector oth-
21 erwise notifies the clerk or is no longer an elector of the county. The application shall be signed
22 by the applicant and contain:

23 (a) The name and current mailing address of the applicant;

24 (b) A statement that the applicant is a citizen of the United States;

25 (c) A statement that the applicant will be *[18]* **16** years of age or older on the date of the
26 election;

27 (d) A statement that for more than 20 days preceding the election the applicant's home residence
28 has been in this state, and giving the address of the last home residence;

29 (e) A statement of the facts that qualify the applicant as a military or overseas elector or as the
30 spouse or a dependent of a military or overseas elector;

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 (f) A statement that the applicant is not requesting a ballot from any other state and is not
2 voting in any other manner in the election except by the requested ballot; and

3 (g) If the applicant desires to vote in a primary election, a designation of the applicant's political
4 party affiliation or a statement that the applicant is not affiliated with any political party. An ap-
5 plicant not affiliated with any political party may request a ballot for a major political party. The
6 applicant shall be sent the ballot for the political party that the applicant requested if that political
7 party has provided under ORS 254.365 for a primary election that admits electors not affiliated with
8 any political party.

9 **SECTION 3.** ORS 253.565 is amended to read:

10 253.565. (1) Any military or overseas elector may secure a special ballot for a primary election
11 or general election by making an application under this section if the elector believes that:

12 (a) The elector will be residing, stationed or working outside the territorial limits of the United
13 States and the District of Columbia; and

14 (b) The elector will be unable to vote and return a regular ballot by normal mail delivery within
15 the period provided for regular absent electors.

16 (2) A military or overseas elector shall make the application for a special ballot in the form of
17 a written request. The elector shall submit the application before the date of the applicable election
18 to the clerk of the county of the military or overseas elector's residence or to the Secretary of State.
19 If the application is addressed to the Secretary of State, the secretary shall forward it to the ap-
20 propriate county clerk. The application shall be signed by the applicant and contain:

21 (a) The name and current mailing address of the applicant;

22 (b) A designation of the election for which the applicant requests a special ballot;

23 (c) A statement that the applicant is a citizen of the United States;

24 (d) A statement that the applicant will be [18] 16 years of age or older on the date of the
25 election;

26 (e) A statement that for more than 20 days preceding the election the applicant's home residence
27 has been in this state, and giving the address of the last home residence;

28 (f) A statement of the facts that qualify the applicant as a military or overseas elector or as the
29 spouse or a dependent of a military or overseas elector;

30 (g) A statement of the facts that qualify the applicant to vote by means of a special ballot;

31 (h) A statement that the applicant is not requesting a ballot from any other state and is not
32 voting in any other manner in the election except by the requested special ballot; and

33 (i) If the applicant requests a ballot for a primary election, a designation of the applicant's pol-
34 itical party affiliation or a statement that the applicant is not affiliated with any political party.
35 An applicant not affiliated with any political party may request a ballot for a major political party.
36 The applicant shall be sent the ballot for the political party that the applicant requested if that
37 political party has provided under ORS 254.365 for a primary election that admits electors not af-
38 filiated with any political party.

39 (3) An application for a special ballot shall be valid only for the election specified in the appli-
40 cation.

41 (4) The county clerk shall list on the special ballot the offices and measures scheduled to appear
42 on the regular ballot, if known when the ballot is prepared, and provide space in which the elector
43 may write in the elector's preference.

44 (5) The elector may write in the name of any eligible candidate for each office to be filled or for
45 which nominations will be made at the election, and may vote on any measure submitted at the

1 election.

2 **SECTION 4.** ORS 254.068 is amended to read:

3 254.068. On the date of any election, the county clerk may conduct a simulated election. As used
4 in this section, "simulated election" means a demonstration election held for individuals under [18]
5 16 years of age for the purpose of encouraging future voter participation.

6 **SECTION 5. This 2019 Act does not take effect unless the amendment to the Oregon**
7 **Constitution proposed by ___ Joint Resolution ___ (2019) (LC 3291) is approved by the people**
8 **at the regular general election held in November 2020. This 2019 Act takes effect on the ef-**
9 **fective date of that amendment.**

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