

## FISCAL IMPACT OF PROPOSED LEGISLATION

81st Oregon Legislative Assembly – 2021 Regular Session  
Legislative Fiscal Office

Measure: SB 27 - 2

*Only Impacts on Original or Engrossed  
Versions are Considered Official*

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Prepared by: Michael Graham  
Reviewed by: Paul Siebert, John Borden, Laurie Byerly, Doug Wilson  
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### **Measure Description:**

Requires that the cover sheet of state, county, district and city initiatives list the city and state of residence of the chief petitioners, rather than the residence address of the chief petitioners.

### **Government Unit(s) Affected:**

Oregon Judicial Department (OJD), Secretary of State (SOS), Department of Justice (DOJ), Counties, Cities, School Districts, Special Districts

### **Summary of Fiscal Impact:**

Costs related to the measure are anticipated to be minimal - See explanatory analysis.

### **Analysis:**

Senate Bill 27, as amended by the -2 amendments, makes several technical changes to Oregon election laws. They include changes to the cover page of initiative or referendum petitions, election notice requirements, certificates of nomination, the definition of “district” for purposes of special elections, procedures for the assessment of civil penalties by the Secretary of State, procedures for the county clerk to deliver and open ballots, and the personal information of chief petitioners required on recall petitions.

The measure replaces requirements that the cover page of a state, county, district, and city initiative or referendum petition designate the chief petitioners’ residential address with requirements to designate the chief petitioners’ city and state of residence. It modifies the requirements of an elections officer concerning the notice of a district election. It clarifies the requirements of a district elections authority regarding the notice of election and ballot title for district ballot measures. It clarifies that the certificate of nomination made by individual electors shall contain a certain number of signatures of electors in the relevant electoral district in the most recent presidential election. It removes vector control districts from the definition of district for purpose of special elections. The measure allows a person facing civil penalties for certain violations assessed by the Secretary of State to submit written testimony and other evidence, sworn to before a notary public, to the Secretary of State for entry in the hearing record in lieu of appearing in person at a hearing on the civil penalty. It allows a person facing civil penalties for certain violations assessed by the Secretary of State to submit written testimony or other evidence electronically. It makes a technical clarification to a reference to the Oregon Constitution. It clarifies that the county clerk shall deliver a secrecy envelope with a ballot, if the county uses secrecy envelopes. It provides an exception to the envelope procedures for an elector to submit a ballot when informed by the county clerk of necessary alterations to the process approved by the Secretary of State. It provides an exception to the requirement that a county clerk include a secrecy envelope when mailing official ballots to each active elector of the electoral district when the Secretary of State has approved a different procedure that provides substantially the same degree of secrecy. It allows a county clerk, upon receipt of ballots, to begin opening return identification envelopes of ballots and any used secrecy envelopes of ballots; also removes the restriction limiting county clerk actions to ballots delivered by mail. It removes the requirement that each sheet of a recall petition must contain the address of the petitioner and adds requirement that they must contain the city and state of residence of the chief petitioner.

### **State Agencies and Local Governments**

The measure is anticipated to have a minimal fiscal impact on the Secretary of State, Department of Justice and the Oregon Judicial Department, as well as on cities, counties, special districts, and school districts.

### **County Clerks**

The measure would not require county clerks to mail a secrecy envelope/sleeve as an insertion, if the Secretary of State Elections Division approves a different procedure to maintain the secrecy of voters' ballots. If county clerks can dispense with this insertion, counties would realize some savings in conducting their elections. The measure would also permit county clerks to begin opening ballots upon receipt, instead of waiting seven days before the election. Currently, county clerks must submit ballots through their ballot sorters twice: the first time is for signature verification, after which they are held for storage until seven days before the election, at which time they are run through the ballot sorters again to open the envelopes. The measure would eliminate the need for ballots to pass through ballot sorters twice, which would allow counties to begin the ballot sorting process all at once, instead of waiting seven days before the election. Allowing county clerks to process and sort ballots upon receipt would arguably save counties time and money in sorting and processing ballots. For these reasons, the measure is anticipated to generate savings to counties.