

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 27 - A3

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

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

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

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

Government Unit(s) Affected:

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

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Summary of Expenditure Impact:

Secretary of State

General Fund	2021-23 Biennium	2023-25 Biennium
Personal Services	\$117,414	\$124,565
Services and Supplies	17,000	17,714
Total Funds	\$134,414	\$142,279
Positions	2	2
FTE	0.66	0.66

Analysis:

Senate Bill 27, as amended by the -A3 amendments, requires the Secretary of State (SOS) to establish an electronic filing system to allow candidates for nomination, or election to county or city office held at a primary or general election, to file a portrait and statement electronically with SOS if the candidate cannot have portrait and statement printed in the county voters’ pamphlet. SOS must post the candidate portrait and statement on the SOS website no later than 20 days before election date. The measure requires all applicable state voters’ pamphlets and county voters’ pamphlets to include a list of all offices whose candidates may post portraits and statements on the SOS website and provide the website address where portraits and statements will be posted. The measure also 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 takes effect on January 1, 2022.

Secretary of State

The measure would have a fiscal impact on SOS. To implement the policy changes associated with electronic filing and posting of candidate portraits and statements, the Elections Division will likely incur additional administrative expenses to conduct rulemaking and outreach/education with the public. The Elections Division anticipates needing two temporary compliance specialist 2 positions to assist with the increased workload, including verification of signatures, statutory review of the statements and contacting filers to resolve any issues, while existing staff would absorb the additional online filings and reviews. In addition, the Election Division estimates

that expenses related to the audio production of the voters' pamphlet, which are charged per hour, will increase due to the additional filings by \$7,000 for primary elections and \$10,000 general elections, respectively. The estimated fiscal impact to the SOS Elections Division is \$134,414 General Fund and 2 positions (0.66 FTE) in the 2021-23 biennium and \$142,279 General Fund and 2 positions (0.66 FTE) in the 2023-25 biennium.

The measure may also have an impact on the development hours needed for the Oregon Elections System for Tracking and Reporting (ORESTAR). The measure will require development time and may impact the Election Division's priority project, Oregon Votes, which may result in delays or additional costs, depending on the impact of other measures passed in the 2021 legislative session.

State Agencies and Local Governments

The measure is anticipated to have no fiscal impact on the Department of Justice and the Oregon Judicial Department, as well as cities, counties, special districts, and school districts.

County Clerks

The measure would not have a fiscal impact but would generate savings to counties. The measure requires 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.