

## FISCAL IMPACT OF PROPOSED LEGISLATION

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

Measure: HB 2681 - A

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

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### Measure Description:

Prohibits a voter's registration status from being considered inactive due the voter not voting or updating the voter's registration for any period of time. Requires a voter's registration status to be considered active if the only reason for the voter's registration being considered inactive is because the voter neither voted nor updated the voter's registration for any period of time.

### Government Unit(s) Affected:

Secretary of State (SOS), Counties

### Summary of Fiscal Impact:

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

### Analysis:

House Bill 2681, A-engrossed, replaces the entirety of the introduced version. The measure prohibits a voter's registration status from being considered inactive due the voter not voting or updating the voter's registration for any period of time. Requires a voter's registration status to be considered active if the only reason for the voter's registration being considered inactive is because the voter neither voted nor updated the voter's registration for any period of time. The Secretary of State (SOS) may adopt administrative rules necessary to implement these provisions relating to the active status of voter registrations. The measure requires each county clerk to mail a notice to each voter whose registration is inactive as of the 75th day before the date of a primary or general election; whose registration is considered inactive due to a nonmatching signature or a legal name change; and for whom the county clerk has a valid and current mail address. The notice must inform the voter that the voter's registration is currently inactive; state the reasons for the inactivation; contain information on how to reactivate the voter's registration; and be sent to the voter between 60 and 70 days before the election. A county clerk may also mail a notice to a voter whose voter registration status is considered inactive due to a nonmatching signature or legal name change as of the 7th day prior to a special election. SOS shall design a standard form to be used in all notifications sent by a county clerk under the measure. The measure's notice requirements apply to any voter whose registration is considered inactive because the voter submitted an unsigned return identification envelope or a nonmatching signature on the return identification envelope, and the notice requirements apply to any voter whose registration is considered inactive due to a legal name change. The measure takes effect 91 days after adjournment *sine die*.

### Secretary of State

The SOS Elections Division would be required to design a standard form to be used in all notifications sent by a county clerk under the measure. Furthermore, although discretionary, the Elections Division would update its administrative rules to give uniform guidance to the counties regarding the measure's notice requirements and when a voter's registration status shall be considered active versus inactive. Since the Elections Division would be able to absorb this added workload, the measure would have a minimal fiscal impact on SOS.

### Counties

The measure would require each county clerk to mail a notice to every voter, for whom the county clerk has a valid and current mailing address, whose registration is considered inactive due to a nonmatching signature or a

name change as of the 75th day before the date of a primary election or general election. It would also allow each county clerk to send notices prior to elections other than the primary or general election.

Based on current figures, the counties estimated total cost to implement the measure is \$17,376 per statewide election, or \$34,752 per year since most counties have two elections per year. As of February 2021, Oregon has a total of 525,918 inactive voters; however, only 17,376 of those inactive voters have valid, current addresses which would require a mailed notice from their county clerk. The estimated cost is \$1.00 per inactive voter, according to the Oregon Association of County Clerks (OACC). However, these costs are estimated to decrease over time, since as inactive voters are notified and respond, they would no longer be considered inactive and need to receive the requisite notice from their county clerk. The more frequently voter rolls are updated, the fewer notifications would need to be mailed, thus decreasing the overall cost to the counties over time.

It should also be noted that the \$1.00 per inactive voter is a rough estimate. The measure does not appear to require county clerks to use paid postage return envelopes. However, if a county clerk were to use a paid postage return envelope, that would marginally increase the clerk's costs per inactive voter. According to OACC, most counties would prefer to send a return postage paid envelope with the required notice, since the likelihood of getting a response increases if the return postage is already paid. Consequently, while the use of paid postage return envelopes would increase the costs per inactive voter, it would likely decrease the number of inactive voters requiring such notice over time.