

## HB 3021 A STAFF MEASURE SUMMARY

### House Committee On Rules

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**Action Date:** 05/11/21

**Action:** Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

**Vote:** 4-3-0-0

**Yeas:** 4 - Fahey, Holvey, Salinas, Smith Warner

**Nays:** 3 - Bonham, Drazan, Zika

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Melissa Leoni, LPRO Analyst

**Meeting Dates:** 3/4, 4/13, 5/11

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#### WHAT THE MEASURE DOES:

Requires Secretary of State (SOS) to create and make publicly available a list of five most common languages spoken in the state and each county, other than English. Requires list to be based on best available data; include estimated number of individuals in each county who speak each listed language; and be updated at least once every five years. Requires SOS to ensure each state and county voters' pamphlet mailed to county residents is translated into listed state languages, county languages spoken by 100 or more individuals, and each previously listed county language is made available on SOS and applicable county websites. Requires state and county voters' pamphlets mailed to residents in certain county to be translated into most commonly spoken language in county if no language, other than English, is spoken by 100 or more county individuals. Identifies sections of state and county voters' pamphlet required to be professionally translated by SOS and requires certain statements regarding translated voters' pamphlets. Allows translations of certain candidate statements, statements in support or opposition to a state measure, and argument for referred measure prepared by Legislative Assembly to be filed with SOS in one of five state listed languages for state voters' pamphlet. Sets conditions for submission of translations. Establishes Translation Advisory Council, appointed by SOS, consisting of five at-large members and at least one translator member for each of five most commonly spoken languages, other than English, and for each language in each county that SOS reasonably anticipates requiring a translated voters' pamphlet at next election. Establishes membership conditions and council operational requirements. Requires SOS to consult with council to ensure translation is professionally conducted, culturally responsive, and serves intended community; accurate; and held to same standards as original. Applies to all voters' pamphlets distributed on or after June 30, 2022. Takes effect on 91<sup>st</sup> day following adjournment sine die.

#### ISSUES DISCUSSED:

- Relationship to House Bill 2745 (2021) and requesting voter preferred language
- Data sources available for Secretary of State to identify top five languages spoken for each county
- Providing online translations of the voters' pamphlets mailed to residents
- Availability of translations in the most common state and county languages
- Clarification of intent that submitted translations for federal offices include U.S. Senate, U.S. Representative, and President

#### EFFECT OF AMENDMENT:

Replaces the measure.

#### BACKGROUND:

The Oregon voters' pamphlet is a publication produced and distributed by the Secretary of State (SOS) Elections Division. A voters' pamphlet is produced for each primary and general election, as well as for any special

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statewide election. One copy of the voters' pamphlet is mailed to every household in the state. The voters' pamphlet includes information about candidates, measures, recognized political parties, and any assembly of electors. It also includes instructions for marking the ballot, a complete list of federal and state candidates, and other information on the voting process.

A county may publish a county voters' pamphlet and distribute it themselves; publish a county voters' pamphlet and have it inserted in the state voters' pamphlet for elections for which the SOS is required to publish a pamphlet; or not publish a county voters' pamphlet and have certain local candidates and measures be eligible for inclusion in the state voters' pamphlet (OAR 165-007-0030).

House Bill 3021 A requires the SOS to ensure that each state and county voters' pamphlet mailed to county residents is also translated into the most common languages spoken in the state and each county, other than English, and is made available on the SOS and applicable county websites. The measure specifies sections of the voters' pamphlet required to be professionally translated by SOS and allows the submission of translations of certain candidate and measure statements. Lastly, the measure establishes a Translation Advisory Council and requires the SOS to consult with the council on the translation of voters' pamphlets.