

A-Engrossed
House Bill 3291

Ordered by the House May 18
Including House Amendments dated May 18

Sponsored by Representative RAYFIELD; Representative SOLLMAN

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.

[Requires Secretary of State to conduct study and analyze best practices for financing electoral campaigns. Requires secretary to develop recommendations regarding most effective method for financing electoral campaigns in Oregon.]

[Requires secretary to submit report to interim legislative committees detailing recommendations by September 15, 2022.]

[Sunsets January 2, 2023.]

Requires ballots returned by mail to have postal indicator showing ballot was mailed not later than date of election and be received by county clerk not later than seven days after date of election.

Moves quarterly election date from third Tuesday in September to fourth Tuesday in August.

Allows county clerks to open and begin counting ballot upon receipt.

Applies to elections held on or after January 1, 2022.

A BILL FOR AN ACT

1
2 Relating to elections; creating new provisions; amending ORS 171.185, 203.085, 221.230, 253.065,
3 253.070, 253.080, 253.585, 253.690, 254.095, 254.103, 254.408, 254.431, 254.458, 254.470, 254.478,
4 254.485, 254.529, 254.545, 254.546, 254.548, 254.555, 255.085, 255.295, 255.345, 258.075, 260.695 and
5 294.474; and repealing ORS 251.358.

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

7 **SECTION 1.** ORS 254.470 is amended to read:

8 254.470. (1) The Secretary of State by rule shall establish requirements and criteria for the
9 designation of places of deposit for the ballots cast in an election. The rules shall also specify the
10 dates and times the places of deposit must be open and the security requirements for the places of
11 deposit. At a minimum, the places designated under this section shall be open on the date of the
12 election for a period of eight or more hours, but must be open until at least 8 p.m. At each place
13 of deposit designated under this section, the county clerk shall prominently display a sign stating
14 that the location is an official ballot drop site.

15 (2)(a) Except as provided in paragraphs (b) and (c) of this subsection, the county clerk shall mail
16 by nonforwardable mail an official ballot with a return identification envelope and a secrecy envel-
17 ope not sooner than the 20th day before the date of an election and not later than the 14th day
18 before the date of the election, to each active elector of the electoral district as of the 21st day
19 before the date of the election.

20 (b) If the county clerk determines that an active elector of the electoral district as of the 21st
21 day before the date of the election does not receive daily mail service from the United States Postal
22 Service, the county clerk shall mail by nonforwardable mail an official ballot with a return iden-

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 tification envelope and a secrecy envelope to the elector not sooner than the 20th day before the
2 date of an election and not later than the 18th day before the date of the election.

3 (c) In the case of ballots to be mailed to addresses outside this state to electors who are not
4 military or overseas electors, the county clerk may mail the ballots not sooner than the 29th day
5 before the date of the election.

6 (3) For an election held on the date of a primary election:

7 (a) The county clerk shall mail the official ballot of a major political party to each elector who
8 is registered as being affiliated with the major political party as of the 21st day before the date of
9 the election.

10 (b) The county clerk shall mail the official ballot of a major political party to an elector not
11 affiliated with any political party if the elector has applied for the ballot as provided in this sub-
12 section and that party has provided under ORS 254.365 for a primary election that admits electors
13 not affiliated with any political party.

14 (c) An elector not affiliated with any political party who wishes to vote in the primary election
15 of a major political party shall apply to the county clerk in writing. The application must be com-
16 pleted, signed and submitted by the elector electronically, in person or by mail, in a manner deter-
17 mined by the secretary by rule and must indicate which major political party ballot the elector
18 wishes to receive. Except for electors described in subsection (4) of this section, and subject to ORS
19 247.203, the application must be received by the county clerk not later than 5 p.m. of the 21st day
20 before the date of the election.

21 (d) If the primary election ballot includes city, county or nonpartisan offices or measures, the
22 county clerk shall mail to each elector who is not eligible to vote for party candidates a ballot
23 limited to those offices and measures for which the elector is eligible to vote.

24 (4) For each elector who updates a voter registration after the deadline in ORS 247.025, the
25 county clerk shall make the official ballot, the return identification envelope and the secrecy en-
26 velope available either by mail or at the county clerk's office or at another place designated by the
27 county clerk. An elector to whom this subsection applies must request a ballot from the county
28 clerk.

29 (5) The ballot shall contain the following warning:

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31
32 Any person who, by use of force or other means, unduly influences an elector to vote in any
33 particular manner or to refrain from voting is subject to a fine.
34

35
36 (6)(a) Upon receipt of any ballot described in this section, the elector shall mark the ballot, sign
37 the return identification envelope supplied with the ballot and comply with the instructions provided
38 with the ballot.

39 (b) The elector may return the marked ballot to the county clerk by United States mail or by
40 depositing the ballot at the office of the county clerk, at any place of deposit designated by the
41 county clerk or at any location described in ORS 254.472 or 254.474.

42 (c) The ballot must be returned in the return identification envelope.

43 (d) Subject to paragraph (e) of this subsection, if a person returns a ballot for an elector, the
44 person shall deposit the ballot in a manner described in paragraph (b) of this subsection not later
45 than two days after receiving the ballot.

1 (e) [A] **If the elector deposits the ballot at the office of the county clerk, at any place of**
2 **deposit designated by the county clerk or at any location described in ORS 254.472 or 254.474,**
3 **the ballot must be received at the office of the county clerk, at the designated place of deposit or**
4 **at any location described in ORS 254.472 or 254.474 not later than the end of the period determined**
5 **under subsection (1) of this section on the date of the election. If the elector returns the ballot**
6 **by mail:**

7 (A) **The ballot must be received at the office of the county clerk not later than the end**
8 **of the period determined under subsection (1) of this section on the date of the election; or**

9 (B) **The ballot must:**

10 (i) **Have a postal indicator showing that the ballot was mailed not later than the date of**
11 **the election; and**

12 (ii) **Be received at the office of the county clerk not later than seven calendar days after**
13 **the date of the election.**

14 (f) **If a county clerk receives a marked ballot for an elector who does not reside in the**
15 **clerk's county, the ballot shall be forwarded to the county clerk of the county in which the**
16 **elector resides not later than the eighth day after the election.**

17 (7) **The following shall appear on the return identification envelope:**

18 (a) **Space for the elector to sign the envelope.**

19 (b) **A notice designed by rule by the Secretary of State, in consultation with the county**
20 **clerks, explaining that by signing the ballot the elector is attesting under penalty of perjury**
21 **that the ballot was mailed no later than the date of the election.**

22 (c) **A summary of the applicable penalties for knowingly making a false statement, oath**
23 **or affidavit under the election laws.**

24 (8) **If the elector returns the ballot by mail, and a postal indicator is not present or leg-**
25 **ible, the ballot shall be considered to be mailed on the date of the election and may be**
26 **counted if the ballot is received no later than seven calendar days after the election.**

27 [(7)] (9) **An elector may obtain a replacement ballot if the ballot is destroyed, spoiled, lost or**
28 **not received by the elector. Replacement ballots shall be issued and processed as described in this**
29 **section and ORS 254.480. The county clerk shall keep a record of each replacement ballot provided**
30 **under this subsection. Notwithstanding any deadline for mailing ballots in subsection (2) of this**
31 **section, a replacement ballot may be mailed, made available in the office of the county clerk or made**
32 **available at one central location in the electoral district in which the election is conducted. The**
33 **county clerk shall designate the central location. A replacement ballot need not be mailed after the**
34 **fifth day before the date of the election.**

35 [(8)] (10) **A ballot shall be counted only if:**

36 (a) **It is returned in the return identification envelope;**

37 (b) **The envelope is signed by the elector to whom the ballot is issued, unless a certified state-**
38 **ment is submitted under ORS 254.431; and**

39 (c) **The signature is verified as provided in subsection [(9)] (11) of this section.**

40 [(9)] (11) **The county clerk shall verify the signature of each elector on the return identification**
41 **envelope with the signature on the elector's registration record, according to the procedure provided**
42 **by rules adopted by the Secretary of State. If the county clerk determines that an elector to whom**
43 **a replacement ballot has been issued has voted more than once, the county clerk shall count only**
44 **one ballot cast by that elector.**

45 [(10)] (12) **At 8 p.m. on election day, electors who are at the county clerk's office, a place of**

1 deposit designated under subsection (1) of this section or any location described in ORS 254.472 or
2 254.474 and who are in line waiting to vote or deposit a voted ballot shall be considered to have
3 begun the act of voting.

4 [(11)(a)(A)] **(13)(a)(A)** Except as provided in subparagraph (B) of this paragraph, the name of the
5 Secretary of State may not appear in the secretary's official capacity on the return identification
6 envelope, secrecy envelope or on any instructions or materials included with the ballot if the sec-
7 retary is a candidate in the election for which the ballot is printed.

8 (B) This paragraph does not prohibit the name of the Secretary of State from appearing in the
9 secretary's official capacity in the voters' pamphlet.

10 (b) The name of the county clerk or other filing officer may not appear in the official capacity
11 of the county clerk or filing officer on the return identification envelope, secrecy envelope or on any
12 instructions or materials included with the ballot if the county clerk or filing officer is a candidate
13 in the election for which the ballot is printed.

14 (c) As used in this subsection, "filing officer" has the meaning given that term in ORS 254.165.

15 **(14) As used in this section, "postal indicator" means a postmark or other indicator on**
16 **a mailed ballot, identified by the Secretary of State by rule, that demonstrates the date or**
17 **time at which a ballot was mailed.**

18 **SECTION 2.** ORS 253.065 is amended to read:

19 253.065. (1) For electors with mailing addresses outside this state, the county clerk shall deliver
20 a ballot:

21 (a) Not later than the 45th day before the election to each military or overseas elector; and

22 (b) Not sooner than the 29th day before the election to each absent elector with a mailing ad-
23 dress outside this state who is not a military or overseas elector.

24 (2) The clerk shall deliver with the ballot instructions for marking and returning the ballot, a
25 return identification envelope and a secrecy envelope. [*The back of the envelope shall include a*
26 *statement to be signed by the absent elector, stating that the elector:*] **Except as provided in sub-**
27 **section (3) of this section, the return identification envelope must contain:**

28 [(a) *Is qualified to vote;*]

29 [(b) *Unless prevented by physical disability, has personally marked the ballot; and*]

30 [(c) *Has not unnecessarily exhibited the marked ballot to any other person.*]

31 **(a) Space for the elector to sign the envelope.**

32 **(b) A notice designed by rule by the Secretary of State, in consultation with the county**
33 **clerks, explaining that by signing the ballot the elector is attesting under penalty of perjury**
34 **that the ballot was mailed no later than the date of the election.**

35 **(c) A summary of the applicable penalties for knowingly making a false statement, oath**
36 **or affidavit under the election laws.**

37 **(3) For a military or overseas elector as defined in ORS 253.501, the return identification**
38 **envelope provided under subsection (2) of this section must contain:**

39 **(a) Any information that a military or overseas elector is required to sign under the**
40 **federal Help America Vote Act of 2002 (P.L. 107-252) or other federal law;**

41 **(b) Space for the elector to sign; and**

42 **(c) To the extent not required under paragraph (a) of this subsection, a notice designed**
43 **by rule by the Secretary of State that ensures that any military or overseas elector who**
44 **returns a ballot by mail makes a legally binding assertion that the ballot was mailed no later**
45 **than the date of the election.**

1 [(3)] (4) An absent elector may obtain a replacement ballot if the ballot delivered under this
2 section is destroyed, spoiled, lost or not received by the elector. The county clerk shall keep a re-
3 cord of each replacement ballot provided under this subsection.

4 [(4)] (5) A replacement ballot provided under subsection [(3)] (4) of this section may be mailed
5 or shall be made available in the office of the county clerk.

6 [(5)] (6) If the county clerk determines that an absent elector to whom a replacement ballot has
7 been issued at the request of the elector has voted more than once, the county clerk shall count only
8 the first ballot received by the clerk and provide the elector's name to the Secretary of State for
9 further review. If the county clerk is required to reissue ballots due to a change on the ballot for
10 any reason, that ballot shall be counted in lieu of any previous ballot issued unless:

11 (a) Only the original ballot was voted and returned; or

12 (b) The county clerk issued a supplemental ballot that is not a complete replacement of the or-
13 iginal ballot.

14 **SECTION 3.** ORS 253.070 is amended to read:

15 253.070. [A ballot from an absent elector must be received by a county clerk not later than 8 p.m.
16 of the day of the election.]

17 (1) **Upon receipt of a ballot the absent elector shall mark it and comply with the in-
18 structions provided with the ballot. The absent elector may return the marked ballot to the
19 office of the clerk, by any appropriate means.**

20 (2) **If the absent elector returns the marked ballot by any means other than by mail, the
21 ballot must be received by a county clerk not later than 8 p.m. of the day of the election.**

22 (3) **If the absent elector returns the marked ballot by mail:**

23 (a) **The ballot must be received by a county clerk not later than 8 p.m. on the day of the
24 election; or**

25 (b) **The ballot must:**

26 (A) **Have a postal indicator showing that the ballot was mailed not later than the date
27 of the election; and**

28 (B) **Be received at the office of the county clerk not later than seven calendar days after
29 the date of the election.**

30 (4) **If the elector returns the ballot by mail, and a postal indicator is not present or leg-
31 ible, the ballot shall be considered to be mailed on the date of the election and may be
32 counted if the ballot is received no later than seven calendar days after the election.**

33 (5) **If a county clerk receives a marked ballot for an elector who does not reside in the
34 clerk's county, the ballot shall be forwarded to the county clerk of the county in which the
35 elector resides not later than the eighth day after the election.**

36 (6) **As used in this section, "postal indicator" has the meaning given that term in ORS
37 254.470.**

38 **SECTION 4.** ORS 254.485 is amended to read:

39 254.485. (1) Ballots may be tallied by a vote tally system or by a counting board. A counting
40 board may tally ballots at the precinct or in the office of the county clerk. In any event, the ballots
41 shall be tallied and returned by precinct.

42 (2) If a vote tally system is used, the county clerk shall repeat the public certification test de-
43 scribed under ORS 254.235 (1). The test shall be conducted immediately prior to scanning any bal-
44 lots. The test may be observed by persons described in ORS 254.235 (2). The county clerk shall
45 certify the results of the test.

1 (3) If a counting board has been appointed, the tally of ballots may begin on the date of the
2 election.

3 (4)(a) If ballots are tallied by a counting board, after the tally has begun it shall continue until
4 completed. Except as provided in paragraph (b) of this subsection, a counting board shall tally
5 without adjournment and in the presence of the clerks and persons authorized to attend.

6 (b) A counting board may be relieved by another board if the tally is not completed after 12
7 hours.

8 (5) A counting board shall audibly announce the tally as it proceeds. The board shall use only
9 pen and ink to tally.

10 (6) For ballots cast using a voting machine, the county clerk shall:

11 (a) Enter the ballots cast using the machine into the vote tally system; and

12 (b) In the event of a recount, provide the paper record copy recorded by the machine to the
13 counting board.

14 (7) A person other than the county clerk, a member of a counting board or any other elections
15 official designated by the county clerk may not tally ballots under this chapter.

16 **(8) The Secretary of State shall by rule establish a procedure for announcing the status**
17 **of the tally of the ballots received after the date of the election. Rules adopted under this**
18 **subsection must:**

19 **(a) Consider the number of ballots being released in relation to the size of the district;**

20 **(b) Prioritize voter anonymity; and**

21 **(c) After prioritizing voter anonymity under paragraph (b) of this subsection, prioritize**
22 **the importance of timely reporting election results.**

23 **SECTION 5.** ORS 254.545 is amended to read:

24 254.545. Subject to ORS 254.548, the county clerk:

25 (1) As soon as possible after any election, shall prepare abstracts of votes. The abstract for
26 election of Governor shall be on a sheet separate from the abstracts for other offices and measures.

27 (2) On completion of the abstracts, shall record a complete summary of votes cast in the county
28 for each office, candidate for office and measure. The county clerk shall sign and certify this record.

29 (3) Not later than the [20th] **27th** day after the election, shall deliver a copy of the abstracts for
30 other than county offices to the appropriate elections officials. The abstract for election of Governor
31 shall be delivered separately to the Secretary of State as provided in [section 4,] Article V, **section**
32 **4, of the Oregon Constitution.**

33 (4) Not later than the [30th] **35th** day after the election, shall proclaim which county measure
34 is paramount, if two or more approved county measures contain conflicting provisions.

35 (5) Shall prepare and deliver a certificate of nomination or election to each candidate having
36 the most votes for nomination for or election to county or precinct offices.

37 (6) Shall prepare, and file with the county governing body, a certificate stating the compensation
38 to which the board clerks are entitled. The county governing body shall order the compensation paid
39 by county funds.

40 (7) As soon as possible after any election, shall send electronically the results of the election
41 in each precinct to the Secretary of State.

42 **SECTION 6.** ORS 254.546 is amended to read:

43 254.546. (1) In the case of a recall election held on a date other than the date of the primary
44 election or general election, the county clerk shall prepare an abstract of the votes and deliver it
45 to the elections official authorized to order the recall election not later than the [20th] **27th** day

1 after the election.

2 (2) Except as provided in subsection (3) of this section, for purposes of [section 18,] Article II,
3 **section 18, of the Oregon Constitution**, the result of the recall election referred to in subsection
4 (1) of this section shall be considered officially declared on the date the abstract of the votes is
5 delivered.

6 (3) If the elections official authorized to order the recall election is the Secretary of State, the
7 Secretary of State shall officially declare the result of the election not later than the [30th] **35th**
8 day after the election.

9 **SECTION 7.** ORS 254.555 is amended to read:

10 254.555. (1) Except as provided in ORS 254.548, not later than the [30th] **37th** day after any
11 election, the Secretary of State, regarding offices for which the secretary receives filings for nomi-
12 nation, shall:

13 (a) Canvass the votes for the offices, except the office of Governor after the general election.

14 (b) Enter in a register of nominations after the primary election the name and, if applicable,
15 major political party of each candidate nominated, the office for which the candidate is nominated
16 and the date of entry.

17 (c) Prepare and deliver a certificate of nomination or election to each candidate having the most
18 votes for nomination for or election to the office. The Secretary of State shall sign the certificate
19 under the seal of the state.

20 (d) Issue a proclamation declaring the election of candidates to the offices.

21 (2) Not later than the [30th] **37th** day after the election:

22 (a) The Secretary of State, regarding measures for which the secretary is the filing officer, shall
23 canvass the votes for each measure.

24 (b) The Governor shall issue a proclamation giving the number of votes cast for or against each
25 such measure, and declaring the approved measures as the law on the effective date of the measure.
26 If two or more approved measures contain conflicting provisions, the Governor shall proclaim which
27 is paramount.

28 **SECTION 8.** ORS 254.529 is amended to read:

29 254.529. (1) At each primary election, general election and special election, the county clerk
30 shall make a determination on whether to conduct:

31 (a) A hand count of ballots as described in this section and compare the tally of votes for those
32 ballots produced by a vote tally system with the tally of votes for those ballots produced by the hand
33 count; or

34 (b) A risk-limiting audit in the manner described in ORS 254.532.

35 (2) If the county clerk determines that a hand count will be conducted:

36 (a) In the event that the unofficial tally of ballots produced by a vote tally system reveals that
37 the margin of victory between the two candidates receiving the largest number of votes in the
38 county is less than one percent of the total votes cast in that election in the county, the county
39 clerk shall conduct a hand count of ballots in at least 10 percent of all precincts or of ballots in
40 at least 10 percent of all batches of ballots collected by the county clerk.

41 (b) In the event that the unofficial tally of ballots reveals that the margin of victory between
42 the two candidates receiving the largest number of votes in the county is greater than or equal to
43 one percent but less than two percent of the total votes cast in the county, the county clerk shall
44 conduct a hand count of ballots in at least five percent of all precincts or of ballots in at least five
45 percent of all batches of ballots collected by the county clerk.

1 (c) In the event that the unofficial tally of ballots reveals that the margin of victory between
2 the two candidates receiving the largest number of votes in the county is greater than or equal to
3 two percent of the total votes cast in the county, the county clerk shall conduct a hand count of
4 ballots in at least three percent of all precincts or of ballots in at least three percent of all batches
5 of ballots collected by the county clerk.

6 (3) If the county clerk determines that a hand count will be conducted, the county clerk shall
7 conduct a hand count of ballots cast in the election contest between the two candidates receiving
8 the largest number of votes in the county, an election contest for an office to be voted on in the
9 state at large and, if possible, an election contest for a state measure. The Secretary of State shall
10 select the precincts or batches at random. At the election:

11 (a) If selecting precincts, no fewer than 150 ballots must have been cast in at least one of the
12 precincts selected.

13 (b) If selecting batches, the number of ballots contained in the batches selected must in the ag-
14 gregate be equal to or greater than:

15 (A) Ten percent of the total number of ballots cast in the election for a hand count required
16 under subsection (2)(a) of this section.

17 (B) Five percent of the total number of ballots cast in the election for a hand count required
18 under subsection (2)(b) of this section.

19 (C) Three percent of the total number of ballots cast in the election for a hand count required
20 under subsection (2)(c) of this section.

21 (4) Not later than 5 p.m. of the 15th business day after the date of the election, the Secretary
22 of State shall in writing advise the county clerks who made a determination that a hand count will
23 be conducted of:

24 (a) The election contests for which ballots are to be hand counted; and

25 (b) The precincts or batches in which ballots are to be hand counted.

26 (5) A county clerk shall begin the hand counts under this section not later than the [23rd] **27th**
27 day after the election and complete the hand counts not later than the [30th] **35th** day after the
28 election. The results of the hand counts shall be provided to the Secretary of State, who shall make
29 the results publicly available on the Secretary of State's website.

30 (6) A comparison of the tally of votes produced by a vote tally system with the tally of votes
31 produced by the hand count under this section must show that the tally of votes produced by the
32 vote tally system differs by no more than one-half of one percent from the tally of votes produced
33 by the hand count.

34 (7)(a) If a hand count conducted under this section results in a tally of votes for a candidate or
35 measure that is different from the tally of votes produced by the vote tally system for that candidate
36 or measure, and the difference for each race is equal to or less than one-half of one percent, the
37 tally of votes produced by the vote tally system is the official tally of votes for that vote tally sys-
38 tem.

39 (b) If a hand count conducted under this section results in a tally of votes for a candidate or
40 measure that is different from the tally of votes produced by the vote tally system for that candidate
41 or measure, and the difference in any race is greater than one-half of one percent, the county clerk
42 shall conduct a second hand count of the same ballots.

43 (c) If the second hand count conducted under this subsection results in a tally of votes for a
44 candidate or measure that is different from the tally of votes produced by the vote tally system for
45 that candidate or measure, and the difference for each race is equal to or less than one-half of one

1 percent, the tally of votes produced by the vote tally system is the official tally of votes for that
2 vote tally system.

3 (d) If the second hand count conducted under this subsection results in a tally of votes for a
4 candidate or measure that is different from the tally of votes produced by the vote tally system for
5 that candidate or measure, and the difference in any race is greater than one-half of one percent,
6 the county clerk shall conduct a hand count of all ballots counted by that vote tally system. The
7 hand count is the official tally of votes for that vote tally system. If the hand count is the official
8 tally of votes, not later than the [30th] 37th day after the election, the county clerk shall certify
9 amended abstracts of votes to appropriate elections officials.

10 (8) For purposes of conducting the hand counts under this section, the county clerk shall:

11 (a) Retain custody of the ballots; and

12 (b) Provide for security for the ballots and the information required to be collected under this
13 subsection.

14 (9) This section does not apply:

15 (a) To precincts that are subject to a recount under ORS 258.161, 258.280 or 258.290.

16 (b) If federal law requires a post-election hand count of ballots at the primary election, general
17 election or special election to verify election results and the Secretary of State determines that the
18 requirements of federal law are at least as stringent as the requirements of subsections (1) to (8)
19 of this section.

20 **SECTION 9.** ORS 254.548 is amended to read:

21 254.548. (1) An individual nominated or elected to a public office by write-in votes shall sign and
22 file a form indicating that the individual accepts the nomination or office before the filing officer
23 may issue a certificate of nomination or election. The Secretary of State by rule shall prescribe the
24 form to be used under this section.

25 (2) In the case of an individual nominated or elected by write-in votes to a public office:

26 (a) Not later than the [31st] 39th day after the election, the filing officer shall:

27 (A) Prepare and deliver by regular mail the form described in subsection (1) of this section to
28 the individual; and

29 (B) If the filing officer has the electronic mail address of the individual, prepare and deliver by
30 electronic mail the form described in subsection (1) of this section to the individual;

31 (b) Not later than the 41st day after the election, if the individual accepts the nomination or
32 office, the individual shall sign and file the form with the filing officer; and

33 (c) Not later than the 45th day after the election, if the individual files the form by the deadline
34 specified in paragraph (b) of this subsection, the filing officer shall prepare and deliver a certificate
35 of nomination or election to the individual and, if applicable, issue a proclamation declaring the
36 election of the candidate to the office.

37 **SECTION 10.** ORS 255.295 is amended to read:

38 255.295. (1) Not later than the [20th] 27th day after the date of an election, the elections officer
39 shall prepare an abstract of the votes and deliver it to the district elections authority. Not later
40 than the 45th day after the date of an election, the district elections authority shall determine from
41 it the result of the election.

42 (2) Subject to ORS 254.548, the elections officer may issue a certificate of election only after the
43 district elections authority has notified the elections officer in writing of the result of the election.

44 **SECTION 11.** ORS 253.690 is amended to read:

45 253.690. (1) A military or overseas elector described in ORS 253.510 may cast a ballot using a

1 facsimile machine or by electronic mail as provided in this section. Notwithstanding ORS 254.470
2 [(8)] (10), a ballot cast under this section shall be counted only if the ballot:

3 (a) Is received in the office of the county clerk not later than 8 p.m. on the day of the election;

4 (b) Is accompanied by a return identification envelope containing the signature of the elector
5 and a signed waiver described in subsection (2) of this section; and

6 (c) The signature is verified as provided in subsection (4) of this section.

7 (2) Each elector who casts a ballot under this section shall complete and submit a waiver de-
8 scribed in this subsection. The elector shall attest to the information supplied on the waiver by
9 signing the completed waiver. The Secretary of State by rule shall design the form of the waiver,
10 which shall include all of the following:

11 (a) Space for the elector to provide the elector's full name, residence or mailing address, an
12 electronic mail address, phone or facsimile number where the elector may be contacted and any
13 other necessary information.

14 (b) A waiver in substantially the following form:

15 _____
16
17 I, _____, acknowledge that by casting my voted ballot using a facsimile machine or by
18 electronic mail I have waived my right to a secret ballot.
19 _____

20
21 (c) A statement to notify the elector that the elector's ballot will not be counted unless the
22 elector has complied with the provisions of this section.

23 (d) Space for the elector to provide the elector's signature to attest to the information supplied.

24 (3)(a) If a ballot is cast under this section using a facsimile machine, the return identification
25 envelope and waiver shall also be submitted using a facsimile machine.

26 (b) If a ballot is cast under this section by electronic mail, the return identification envelope
27 and waiver shall also be submitted by electronic mail.

28 (4) The county clerk shall verify the signature of each elector on the return identification en-
29 velope transmitted by facsimile machine or electronic mail under this section with the signature on
30 the elector's registration record, according to the procedure provided by rules adopted by the Sec-
31 retary of State.

32 (5) The Secretary of State shall adopt rules to administer this section and to ensure the secrecy
33 of ballots cast using a facsimile machine or by electronic mail to the greatest extent possible.

34 **SECTION 12.** ORS 260.695 is amended to read:

35 260.695. (1)(a) If a person prints or circulates an imitation of the ballot or sample ballot:

36 (A) The imitation ballot or sample ballot and the back of any return envelope enclosed with the
37 ballot or sample ballot shall state the following: "THIS IS NOT A REAL BALLOT. DO NOT USE
38 TO VOTE." The statement on the imitation ballot or sample ballot shall be in bold print that is at
39 least two times as large as the majority of the text on the ballot or sample ballot or 20-point type,
40 whichever is larger. The statement on the back of a return envelope shall be in bold print that is
41 at least 36-point type.

42 (B) The word "UNOFFICIAL" must be superimposed on the imitation ballot or sample ballot so
43 that the word extends diagonally across the ballot from one margin of the text to the other. The
44 superimposed word may be printed in lighter ink than other text on the ballot or sample ballot.

45 (b) For purposes of this subsection, an imitation of the ballot or sample ballot includes an imi-

1 tation of a portion of the ballot or sample ballot.

2 (2) A person may not do any electioneering, including circulating any cards or handbills, or so-
3 liciting of signatures to any petition, within any building in which any state or local government
4 elections office designated for the deposit of ballots under ORS 254.470 is located, or within 100 feet
5 measured radially from any entrance to the building. A person may not do any electioneering by
6 public address system located more than 100 feet from an entrance to the building if the person is
7 capable of being understood within 100 feet of the building. The electioneering need not relate to
8 the election being conducted. This subsection applies during the business hours of the building or,
9 if the building is a county elections office, during the hours the office is open to the public, during
10 the period beginning on the date that ballots are mailed to electors as provided in ORS 254.470 and
11 ending on election day at 8 p.m. or when all persons waiting in line at the building who began the
12 act of voting as described in ORS 254.470 [(10)] (12) by 8 p.m. have finished voting.

13 (3) A person may not obstruct an entrance of a building in which ballots are issued or a place
14 designated for the deposit of ballots under ORS 254.470 or any voting booth maintained under ORS
15 254.474 is located. This subsection applies during the period beginning on the date that ballots are
16 mailed to electors as provided in ORS 254.470 and ending on election day at 8 p.m. or when all
17 persons waiting in line at the building or location who began the act of voting as described in ORS
18 254.470 [(10)] (12) by 8 p.m. have finished voting.

19 (4) A person may not vote or offer to vote in any election knowing the person is not entitled
20 to vote.

21 (5) A person may not make a false statement about the person's inability to mark a ballot.

22 (6) A person, except an elections official in performance of duties or another person providing
23 assistance to an elector as described in ORS 254.445, may not ask a person at any place designated
24 for the deposit of ballots under ORS 254.470 or at any location described in ORS 254.472 or 254.474
25 for whom that person intends to vote, or examine or attempt to examine the person's ballot.

26 (7) An elections official, other than in the performance of duties, may not disclose to any person
27 any information by which it can be ascertained for whom any elector has voted.

28 (8) A person, except an elections official in performance of duties, may not do anything to a
29 ballot to permit identification of the person who voted.

30 (9) An elector may not willfully leave at any place designated for the deposit of ballots under
31 ORS 254.470 or at any location described in ORS 254.472 or 254.474 anything that will show how the
32 elector's ballot was marked.

33 (10) A person, except an elections official in performance of duties, may not remove a ballot
34 from any place designated for the deposit of ballots under ORS 254.470 or any location described in
35 ORS 254.472 or 254.474.

36 (11) A person, except an elections official in performance of duties or a person authorized by
37 that official, may not willfully deface, remove, alter or destroy a posted election notice.

38 (12) A person, except an elections official in performance of duties, may not willfully remove,
39 alter or destroy election equipment or supplies, or break the seal or open any sealed package con-
40 taining election supplies.

41 (13) A person, except an elections official in performance of duties, may not provide elections
42 advice or attempt to collect voted ballots within any building in which any state or local govern-
43 ment elections office designated for the deposit of ballots under ORS 254.470 is located, or within
44 100 feet measured radially from any entrance to the building.

45 (14) A person, except an elections official in performance of duties, may not establish a location

1 to collect ballots voted by electors unless:

2 (a) The person prominently displays at the location a sign stating: “NOT AN OFFICIAL BAL-
3 LOT DROP SITE”; and

4 (b) The sign is printed in all capital letters in bold 50-point type.

5 **SECTION 13.** ORS 254.408 is amended to read:

6 254.408. (1) A person offering to vote and who claims to be an elector, but for whom no evidence
7 of active or inactive registration can be found, shall be granted the right to vote in the manner
8 provided in this section.

9 (2) Whenever an elector updates a registration at a county clerk’s office after the ballots have
10 been mailed under ORS 254.470, the elector shall vote in that election in the manner provided in this
11 section.

12 (3) An elector voting under this section shall complete and sign a registration card.

13 (4)(a) The elector shall insert the ballot into a small envelope provided by the county clerk and
14 then insert the small envelope into a larger envelope. The larger envelope shall be delivered to the
15 county clerk and shall be segregated and not counted until the registration of the elector is verified
16 under this section.

17 (b) An envelope provided under this subsection must comply with the prohibitions set forth in
18 ORS 254.470 [(11)] (13).

19 (5) The county clerk shall determine if the elector is validly registered to vote and if the vote
20 was properly cast. The ballot shall be counted only if the county clerk determines the registration
21 of the elector is considered active or inactive.

22 (6) A vote shall be counted only if the elector is qualified to vote for the particular office or
23 on the measure.

24 **SECTION 14.** ORS 254.458 is amended to read:

25 254.458. (1) Notwithstanding any provision of ORS 254.470:

26 (a) A county clerk may apply to the Secretary of State for approval of any procedure to be used
27 in lieu of the **return identification** envelope procedures described in ORS 254.470; and

28 (b) Upon receiving an application under paragraph (a) of this subsection, the secretary may ap-
29 prove a procedure to be used in lieu of the **return identification** envelope procedures described in
30 ORS 254.470 if the secretary determines that the procedure will provide substantially the same de-
31 gree of secrecy as ORS 254.470.

32 (2) A procedure approved by the secretary under this section must comply with the prohibitions
33 set forth in ORS 254.470 [(11)] (13).

34 **SECTION 15.** ORS 253.585 is amended to read:

35 253.585. (1) The Secretary of State may receive ballots from military or overseas electors.

36 (2) If the Secretary of State receives a ballot cast by a military or overseas elector, the Secre-
37 tary of State shall deliver the ballot to the county clerk or elections officer of the county in which
38 the elector who cast the ballot is registered.

39 (3) A ballot received by the Secretary of State under this section [*not later than 8 p.m. of the*
40 *day of the election*] shall be considered to have been received by the county clerk as described in
41 ORS 253.070[.] **if:**

42 (a) **The Secretary of State receives the ballot not later than 8 p.m. on the day of the**
43 **election; or**

44 (b) **The ballot:**

45 (A) **Has a postal indicator showing that the ballot was mailed not later than the date of**

1 **the election; and**

2 **(B) Is received by the Secretary of State not later than seven calendar days after the**
3 **date of the election.**

4 **(4) If a military or overseas elector returns the ballot by mail, and a postal indicator is**
5 **not present or legible, the ballot shall be considered to be mailed on the date of the election**
6 **and may be counted if the ballot is received no later than seven calendar days after the**
7 **election.**

8 **(5) As used in this section “postal indicator” has the meaning given that term in ORS**
9 **254.470.**

10 **SECTION 16.** ORS 254.431 is amended to read:

11 254.431. (1) If a ballot is challenged because it is returned in an unsigned return identification
12 envelope or because the signature of an elector on a return identification envelope does not match
13 the signature in the voter registration record for the elector, the county clerk shall mail to the
14 elector a notice that describes the nature of the challenge. The Secretary of State shall design a
15 standard form to be used in all notifications sent by county clerks under this subsection.

16 (2)(a) In order for the vote of the elector to be counted, the elector must provide evidence suf-
17 ficient to disprove the challenge not later than the [14th] **21st** calendar day after the date of the
18 election. In the case of an unsigned return identification envelope, providing sufficient evidence may
19 include completing a certified statement on a form provided by the county clerk. The Secretary of
20 State shall design a standard form to be used for certified statements made under this paragraph.

21 (b) If the elector does not provide evidence sufficient to disprove a challenge alleging that the
22 signature of the elector on a return identification envelope does not match the signature in the
23 voter registration record for the elector by the [14th] **21st** calendar day after the date of the
24 election, the registration of the elector shall be considered inactive.

25 (3)(a) The filing officer may not release as a public record any information that could be used
26 to identify an elector whose ballot has been challenged under this section until the [eighth] **15th**
27 calendar day after the date of an election.

28 (b) Following the [seventh] **14th** calendar day after the date of an election, the filing officer may
29 disclose as a public record under ORS 192.311 to 192.478 the following information about each
30 elector whose ballot was challenged under this section:

31 (A) The name of the elector;

32 (B) The residence addresses of the elector; and

33 (C) The reason the elector’s ballot is being challenged.

34 (4) As used in this section, “filing officer” means:

35 (a) The Secretary of State, for federal or statewide elections and for elections to the office of
36 state Senator or Representative; or

37 (b) The county clerk, for county, city or district elections.

38 **SECTION 17.** ORS 171.185 is amended to read:

39 171.185. (1) Except as provided in subsection (2) of this section, an election called by the Leg-
40 islative Assembly shall be held only on:

41 (a) The second Tuesday in March;

42 (b) The third Tuesday in May;

43 (c) The [third] **fourth** Tuesday in [September] **August**; or

44 (d) The first Tuesday after the first Monday in November.

45 (2) An election may be held on a date other than that provided in subsection (1) of this section,

1 if the Legislative Assembly by resolution or Act finds that an election sooner than the next avail-
2 able election date is required on a measure to finance repairs to property damaged by fire,
3 vandalism or a natural disaster.

4 **SECTION 18.** ORS 203.085 is amended to read:

5 203.085. (1) Except as provided in subsection (3) of this section, no election on a county measure
6 referred by the county governing body or for a county office shall be held on any date other than:

- 7 (a) The second Tuesday in March;
- 8 (b) The third Tuesday in May;
- 9 (c) The [*third*] **fourth** Tuesday in [*September*] **August**; or
- 10 (d) The first Tuesday after the first Monday in November.

11 (2) Except as provided in subsection (3) of this section, no election on a county measure other
12 than a county measure referred by the county governing body shall be held on any date other than:

- 13 (a) The third Tuesday in May; or
- 14 (b) The first Tuesday after the first Monday in November.

15 (3) An emergency election may be held on a date other than those provided in subsection (1)
16 or (2) of this section if the county governing body by resolution finds that an emergency exists that
17 will require an election sooner than the next available election date to avoid extraordinary hardship
18 to the community. A determination under this subsection as to whether an emergency exists is
19 within the sole discretion of the county governing body.

20 (4) A county governing body, with adequate notice, shall hold a public hearing, on a date other
21 than a regularly scheduled meeting, for the purpose of making findings substantiating the fact that
22 an emergency exists before scheduling an election on a date other than those specified in subsection
23 (1) or (2) of this section.

24 (5) Notice of a county's intent to hold an emergency election shall be filed with the county
25 elections authority no later than 47 days preceding the desired election date. At the time the notice
26 of election is given to the county elections authority, the county shall also file with the elections
27 authority a certified copy of the ballot title and a copy of the resolution and findings adopted by the
28 county governing body to authorize the emergency election as required under subsection (4) of this
29 section.

30 **SECTION 19.** ORS 221.230 is amended to read:

31 221.230. (1) Except as provided in subsection (3) of this section, no election on a city measure
32 referred by the city governing body or for a city office shall be held on any date other than:

- 33 (a) The second Tuesday in March;
- 34 (b) The third Tuesday in May;
- 35 (c) The [*third*] **fourth** Tuesday in [*September*] **August**; or
- 36 (d) The first Tuesday after the first Monday in November.

37 (2) Except as provided in subsection (3) of this section, no election on a city measure other than
38 a city measure referred by the city governing body shall be held on any date other than:

- 39 (a) The third Tuesday in May; or
- 40 (b) The first Tuesday after the first Monday in November.

41 (3) An emergency election may be held on a date other than those provided in subsection (1)
42 or (2) of this section if the city governing body by resolution finds that an emergency exists that
43 will require an election sooner than the next available election date to avoid extraordinary hardship
44 to the community. A determination under this subsection as to whether an emergency exists is
45 within the sole discretion of the city governing body.

1 (4) A city governing body, with adequate notice, shall hold a public hearing, on a date other
2 than a regularly scheduled council meeting, for the purpose of making findings substantiating the
3 fact that an emergency exists before scheduling an election on a date other than those specified in
4 subsection (1) or (2) of this section.

5 (5) Notice of a city's intent to hold an emergency election shall be filed with the county
6 elections authority no later than 47 days preceding the desired election date. At the time the notice
7 of election is given to the county elections authority, the city shall also file with the elections au-
8 thority a certified copy of the ballot title and a copy of the resolution and findings adopted by the
9 city governing body to authorize the emergency election as required under subsection (4) of this
10 section.

11 **SECTION 20.** ORS 255.345 is amended to read:

12 255.345. (1) Except as provided in subsection (2) of this section, a special election called by a
13 district elections authority shall not be held on any date other than:

14 (a) The second Tuesday in March;

15 (b) The third Tuesday in May;

16 (c) The [third] **fourth** Tuesday in [September] **August**; or

17 (d) The first Tuesday after the first Monday in November.

18 (2) A special election may be held on a date other than that provided in subsection (1) of this
19 section, if the district elections authority by resolution finds that an election sooner than the next
20 available election date is required on a measure to finance repairs to property damaged by fire,
21 vandalism or a natural disaster.

22 (3) As used in this section, "district elections authority" means the body or officer authorized
23 or required to call an election for a public corporation formed under, and deriving its powers solely
24 from, the statutes of this state, but does not include a city or county.

25 **SECTION 21.** ORS 258.075 is amended to read:

26 258.075. (1) Except as provided in subsection (4) of this section, after the contest hearing, the
27 circuit court shall render a judgment affirming or setting aside the approval or rejection of the
28 measure.

29 (2) If the judgment sets aside the approval or rejection of a measure, the circuit court shall di-
30 rect the measure to be resubmitted at a special election held on one of the dates specified in this
31 subsection, as set by the court. In setting the election date, the court shall provide sufficient time
32 for adequate notice to be given. The special election may be held on any of the following dates:

33 (a) The second Tuesday in March;

34 (b) The third Tuesday in May;

35 (c) The [third] **fourth** Tuesday in [September] **August**; or

36 (d) The first Tuesday after the first Monday in November.

37 (3) The county of the county clerk or the local elections official who committed the error in the
38 distribution of the official ballots shall bear the cost of the special election.

39 (4) In a contest under ORS 258.016 (7), the court shall determine whether the challenge to the
40 determination of the number of electors who were eligible on election day to participate in the
41 election on a measure conducted under [section 11 (8),] Article XI, **section 11 (8)**, of the Oregon
42 Constitution, is valid. In making the determination, the court shall rely on the provisions of ORS
43 chapter 247 and shall receive testimony from the county clerk regarding the clerk's administration
44 of ORS chapter 247. If, after a contest hearing, the court determines that the challenge to the de-
45 termination of the number of electors who were eligible to participate is valid and that the change

1 in the number of electors eligible to participate is sufficient to change the outcome of the election
2 on the measure, the court shall order the county clerk to make a new determination of the number
3 of eligible electors and to certify the results of the election based on the new determination.

4 **SECTION 22.** ORS 254.478 is amended to read:

5 254.478. (1) Subject to ORS 260.705 [*and not sooner than the seventh day before the date of an*
6 *election*], **upon receipt of ballots**, the county clerk may:

7 (a) Begin opening return identification **envelopes of ballots** and **any used** secrecy envelopes
8 of ballots [*delivered by mail and received by the county clerk*]; and

9 (b) In accordance with a security plan approved by the Secretary of State under ORS 254.074,
10 begin scanning ballots into a vote tally system.

11 (2) The county clerk may take any other actions that are necessary to count ballots [*delivered*
12 *by mail*].

13 **SECTION 23.** ORS 253.080 is amended to read:

14 253.080. (1) Upon receipt of an envelope containing a marked ballot from an absent elector, the
15 clerk shall keep it safely in the office and, before delivering the ballot for counting, shall compare
16 the signature of the absent elector that appears on [*the back of*] the ballot envelope with that upon
17 the elector's registration record.

18 (2) Except as otherwise provided in this chapter, ballots for absent electors shall be counted and
19 returns shall be made, as nearly as possible, in the same manner as for other ballots cast at the
20 election.

21 **SECTION 24.** ORS 254.095 is amended to read:

22 254.095. (1) The chief elections officer of any city shall file with the county clerk of the county
23 in which the city hall of the city is located, a statement of the city offices to be filled or for which
24 candidates are to be nominated at the election and information concerning all candidates for the
25 offices not later than the 61st day before the date of the election.

26 (2)(a) [*Except as provided in subsection (3) of this section,*] The chief elections officer of any city
27 shall file with the county clerk of the county in which the city hall is located, a statement of the
28 city measures to be voted on, including the ballot title for each measure, not later than the 61st day
29 before the date of the election.

30 (b) For each local option tax measure or general obligation bond measure placed on the ballot
31 by a municipal corporation, the county clerk shall file a copy of the statement filed under paragraph
32 (a) of this subsection with the Secretary of State in the manner set forth in ORS 294.474.

33 [(3) *If a measure to be submitted to the electors of a city at an election held on the first Tuesday*
34 *after the first Monday in November was submitted on the election date in ORS 221.230 (1) immediately*
35 *preceding the first Tuesday after the first Monday in November, the chief elections officer of the city*
36 *shall file the statement required for that measure in subsection (2) of this section on the 47th day before*
37 *an election held on the first Tuesday after the first Monday in November.*]

38 [(4)] (3) The chief elections officer of the city shall keep a copy of each statement filed under
39 this section.

40 [(5)] (4) If a city is located in more than one county, the county clerk under subsection (1) of
41 this section shall immediately file the statement and information required under subsection (1) of
42 this section with the county clerk of any other county in which the city is located.

43 **SECTION 25.** ORS 254.103 is amended to read:

44 254.103. [(1)(a)] (1) [*Except as provided in subsection (2) of this section,*] The governing body of
45 a county shall file with the county clerk each measure referred by the county governing body, in-

1 cluding the ballot title for each measure, not later than the 61st day before the date of the election.

2 [(b)] (2) For each local option tax measure or general obligation bond measure placed on the
3 ballot by a municipal corporation, the county clerk shall file a copy of each measure filed under
4 [paragraph (a) of this subsection] **subsection (1) of this section** with the Secretary of State in the
5 manner set forth in ORS 294.474.

6 [(2) If a measure to be submitted to the electors of a county at an election held on the first Tuesday
7 after the first Monday in November was submitted on the election date in ORS 203.085 (1) immediately
8 preceding the first Tuesday after the first Monday in November, the county governing body shall file
9 the measure with the county clerk not later than the 47th day before an election held on the first
10 Tuesday after the first Monday in November.]

11 **SECTION 26.** ORS 255.085 is amended to read:

12 255.085. (1)(a) Not later than the 61st day before a district election on a measure, the district
13 elections authority shall deliver to the elections officer a notice stating the date of the election and
14 a ballot title. The district elections authority shall prepare the ballot title for a measure referred
15 by the authority with the assistance of the district attorney for the county of the elections officer
16 or an attorney employed by the district elections authority. The district elections authority shall
17 include the ballot title for the measure at the time the measure is submitted to the elections officer.

18 (b) For each local option tax measure or general obligation bond measure placed on the ballot
19 by a municipal corporation, the elections officer shall file a copy of the notice delivered under par-
20 agraph (a) of this subsection with the Secretary of State in the manner set forth in ORS 294.474.

21 [(2) If a district submits a measure to the electors of the district at an election held on the first
22 Tuesday after the first Monday in November and the district submitted a measure on the election date
23 in ORS 255.345 (1) immediately preceding the date of an election held on the first Tuesday after the
24 first Monday in November, the district elections authority shall file the measure, including the ballot
25 title for the measure, for the election held on the first Tuesday after the first Monday in November with
26 the elections officer not later than the 47th day before an election held on the first Tuesday after the
27 first Monday in November.]

28 [(3)] (2) A notice of election called to approve the issuance of bonds shall include:

29 (a) The purpose for which the bonds are to be used;

30 (b) The amount and the term of the bonds;

31 (c) The kind of bonds proposed to be issued; and

32 (d) If the bond election is authorized by ORS 450.900, the additional notice requirements in ORS
33 450.905.

34 [(4)(a)] (3)(a) In the case of a measure submitted by initiative or referendum petition, the
35 elections officer shall publish the notice in the next available edition of a newspaper of general
36 circulation in the district after the deadline for filing the notice.

37 (b) In the case of a measure referred by the district elections authority, the elections officer
38 shall publish the notice of election in the next available edition of a newspaper of general circu-
39 lation in the district after the notice of election is filed. The notice shall also state that an elector
40 may file a petition for review of the ballot title not later than the date referred to in ORS 255.155.
41 If the circuit court certifies a different ballot title, the elections officer shall publish an amended
42 notice of election in the next available edition of the newspaper referred to in this subsection after
43 the new title is certified to the elections officer.

44 (c) In addition to publishing the notice as described in paragraphs (a) and (b) of this subsection,
45 the elections officer may publish the notice on the county's website for a minimum of seven days.

1 **SECTION 27.** ORS 294.474 is amended to read:

2 294.474. If a municipal corporation places a local option tax measure or a general obligation
3 bond measure on the ballot to be voted on by the electors of the corporation, the chief elections
4 officer of a city, governing body of a county or district elections authority responsible for filing
5 materials relating to the measure under ORS 254.095 (2), 254.103 [(1)] or 255.085 (1) shall file the
6 materials with the appropriate county elections officer. The county elections official shall file a copy
7 of the materials with the Secretary of State for publication on the electronic filing system adopted
8 under ORS 260.057.

9 **SECTION 28.** ORS 450.905 is amended to read:

10 450.905. Notice of a bond election shall contain:

11 (1) The information required by ORS 255.085 [(3)] (2).

12 (2) If general obligation bonds, which are to be paid by particular areas in the authority, are to
13 be issued, a statement that the bonds will be the general obligation of the entire authority but will
14 be the primary obligation of the areas in the authority which will be directly benefited by the sew-
15 age treatment plants or trunk or lateral sewers or drains constructed with the proceeds of the bonds
16 and paid through assessment, annual levy, or sewer service charges, or combinations thereof, as
17 determined by the board under ORS 450.855 and designating specifically the boundaries of such area
18 or areas.

19 (3) If revenue bonds are to be issued, a statement that the bonds will be payable solely out of
20 designated revenues of the authority and will not be a general obligation of the authority or a
21 charge upon the tax revenues of the authority.

22 **SECTION 29.** ORS 251.358 is repealed.

23 **SECTION 30.** The amendments to ORS 171.185, 203.085, 221.230, 253.065, 253.070, 253.080,
24 253.585, 253.690, 254.095, 254.103, 254.408, 254.431, 254.458, 254.470, 254.478, 254.485, 254.529,
25 254.545, 254.546, 254.548, 254.555, 255.085, 255.295, 255.345, 258.075, 260.695 and 294.474 by
26 sections 1 to 28 of this 2021 Act and the repeal of ORS 251.358 by section 29 of this 2021 Act
27 apply to elections held on or after January 1, 2022.

28