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TESTIMONY IN FAVOR OF SENATE BILL 27

Chair Smith Warner, Vice-Chairs Drazan and Holvey, and Representatives Bonham, Fahey, Salinas, and Zika,

The Senate Rules Committee requested that SB 249 and SB 251, which were introduced at the request of the Oregon Association of County Clerks (OACC), be added into the base bill SB 27. The OACC components of this bill:

1. Would provide clarity in statute that County Clerks don't need to provide secrecy sleeves for ballots with an alternate procedure approved by the Secretary of State (OACC proposal); and
2. Would allow ballots to be opened and counted upon receipt (OACC proposal).

When the bill was on the Senate Floor on May 6, 2021, two primary concerns were raised that we wanted to make you aware of and provide clarification.

One concern was that eliminating the requirement to send secrecy sleeves for ballots would cause voters to believe that their ballot was no longer secret. The truth is that these secrecy sleeves are redundant - the way the envelope is designed with the opaque security weave in the paper, inherently protects voters' ballots from being seen the same as the secrecy sleeve does. County election offices also ensure privacy of the voter through their opening procedures that ensure that the return envelope with the voter's information is never available when the ballot is unfolded and inspected. This provision is optional and would still allow County Clerks to include a secrecy envelope if they believe their voters need it or if their ballot return envelopes do not have the security weave.

The second concern was that by allowing ballots to be opened upon receipt, voters' information could be put at risk or that data could get out prematurely and impact the outcome of an election. As it stands currently, ballots can already be opened and counted seven days prior to Election Day with a security plan approved by the Secretary of State, but this rule does not have any practical reason. The OACC stated in committee testimony that allowing them to open ballots upon receipt would prevent having to dig their way out of a build-up of ballots that have been cast early. Additionally, regarding voter information and data security, there are multiple safeguards already in place, the Secretary of State would still have to approve their security plan and the OACC is extremely confident that the security and integrity of the elections process would be maintained.

OACC urges your support of Senate Bill 27.