

SB 1527 B STAFF MEASURE SUMMARY

Carrier: Rep. Smith Warner

House Committee On Rules**Action Date:** 03/01/22**Action:** Do pass with amendments to the A-Eng bill. (Printed B-Eng.)**Vote:** 5-2-0-0**Yeas:** 5 - Fahey, Holvey, Smith Warner, Valderrama, Zika**Nays:** 2 - Breese-Iverson, Wallan**Fiscal:** Has minimal fiscal impact**Revenue:** No revenue impact**Prepared By:** Melissa Leoni, LPRO Analyst**Meeting Dates:** 2/22, 2/25, 3/1**WHAT THE MEASURE DOES:**

Corrects statutory reference from "return identification envelope" to "secrecy envelope." Allows Secretary of State (SOS) to notify affected candidates by email if recount demand is filed. Extends deadline for recall petition to be filed, from 100th day after filing prospective petition to 120th day. Extends deadline for SOS to verify recall petition signatures, from 10th day after recall petition filed to 30th day. Extends deadline for SOS and Attorney General to notify subjects of filed complaint, from 48 hours to three business days. Allows notice to subjects within 10 business days instead of three business days if SOS and Attorney General receive complaints involving 10 or more parties within 48 hours, instead of 25 or more parties in a 24-hour period. Extends deadline for when recount demand and supplemental demand may be filed to align with current statute. Aligns timeline for individuals nominated or elected by write-in votes and who are elected to office to accept nomination or election. Allows filing officers to send notice to write-in candidates via email only, if address is available. Extends write-in candidate deadlines for precinct committeeperson elections to align with current statute. Updates term of precinct committeeperson to align with current statute. Requires SOS to ensure county election officials conduct election recounts for federal and statewide offices and statewide measures in manner that is consistent, transparent, accurate, and pursuant to all applicable laws. Requires county clerk to notify SOS about date, time, and location of recount and information about all aspects of process. Clarifies certain aspects of recount process. Reduces the number of electors who must be registered as a member of a minor political party for the party to retain political party status from one-half of one percent to one-quarter of one percent of the total number of registered electors in the state. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Clarifying deadline changes from House Bill 3291 (2021) and this measure
- Recount process and assistance for counties
- Modernization funding provided to counties in 2021

EFFECT OF AMENDMENT:

Reduces the number of electors who must be registered as a member of a minor political party for the party to retain political party status from one-half of one percent to one-quarter of one percent of the total number of registered electors in the state. Declares emergency, effective on passage.

BACKGROUND:

A minor political party can maintain ballot access in one of two ways:

1. maintain voter registration equal to one-half of one percent of the total number of registered electors in the state as members of the party; or

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2. maintain a voter registration equal to at least one-tenth of one percent of the total votes cast in the state or electoral district for all candidates for Governor at the most recent election at which a candidate for Governor was elected to a full term, and at least once in a four-year period a party candidate must poll at least one percent of the total votes cast in the electoral district for all candidates for President or any single state office.

When Oregon Motor Voter was adopted in 2015, there was uncertainty about how the increase in registered voters would impact minor and major political parties and their ability to maintain access to the ballot. In 2016, the Legislative Assembly set specific dates prior to the operative date of Oregon Motor Voter for minor political parties to use when determining ballot access for a certain period of time. Senate Bill 224 (2019), the omnibus election-related bill, extended the sunset date for determining minor political party status from November 6, 2018 to November 3, 2020.

According to the Secretary of State, a total of 2,947,391 Oregonians were registered to vote as of September 2021 ([Voter Registration Comparison by County, September 2021](#)). Only one minor party had voter registration of more than one-half of one percent, or 14,737 members. If reduced to one-quarter of one percent, or 7,369 members, then three parties would meet the voter registration threshold.

Senate Bill 27 (2021) provided that a county clerk or other election filing officer is not required to provide a secrecy envelope for a ballot if the Secretary of State (SOS) has approved different procedures to ensure secrecy. House Bill 3291 (2021) added the term "return identification" in ORS 254.458 to describe the type of envelope, instead of "secrecy." HB 3291 also extended various deadlines in the elections statutes to allow more time for ballots to be received.

Senate Bill 1527 B corrects the statutory reference from "return identification" envelope to "secrecy" envelope in ORS 254.458, makes various technical changes to elections statutes, aligns certain deadlines with those established in HB 3291 (2021), and requires the SOS to ensure county election officials conduct election recounts for federal and statewide offices and statewide measures in manner that is consistent, transparent, accurate, and pursuant to all applicable laws. The measure also reduces the number of electors who must be registered as a member of a minor political party in order for the party to retain political party status from 0.5 percent to 0.25 percent of the total number of registered electors in the state.