SB 166   STAFF MEASURE SUMMARY

Senate Committee On Rules

Prepared By:	Leslie Porter, LPRO Analyst
Meeting Dates:	3/14

WHAT THE MEASURE DOES:

Explicitly guarantees each elector's right to vote and right to secret ballot. Prohibits how elector voted from disclosure through public records request. Reclassifies harassment against election worker as Class C felony from Class A misdemeanor. Establishes that crime of aggravated harassment includes harassment against election worker. Punishes crime of harassment or aggravated harassment against election worker by maximum of five years' imprisonment, $125,000 fine, or both. Alters requirements for annual county elections security plans. Classifies all communication related to development and review of security plan as confidential and not subject to disclosure. Removes requirement that name and number of precinct in which elector resides or precinct split of elector be included in lists of electors provided to political parties and subject to inspection as public record.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

During the 2020 and 2022 election cycles, local elections administrators, county clerks, and their families and staff, faced violence and threats of violence. Current law classifies harassment against an election worker as a Class A misdemeanor, which is the most severe misdemeanor, and carries a maximum punishment of 364 days imprisonment, a $6,250 fine, or both. Current law classifies aggravated harassment as a Class C felony, which is the least severe felony, and carries a maximum punishment of five years' imprisonment, a $125,000 fine, or both.

By January 31 of each calendar year, every county clerk is required to submit a county elections security plan with the Secretary of State. ORS Chapter 254.074 delineates the requirements for those plans and establishes that they are confidential and not subject to disclosure under Oregon's public records inspection laws.

ORS Chapter 247.948 lists the information found within an elector's voter registration file that is subject to Oregon's public records inspection laws, which includes party affiliation, residence address, birth year, the name or number of the precinct in which the elector resides, and the precinct split of an elector.

Senate Bill 166 explicitly guarantees each elector's right to vote, establishes and reclassifies crimes against election workers as Class C felonies, alters requirements of annual county election security plans, and changes the elector information with their registration file that is required to be shared.