

HB 2107 A STAFF MEASURE SUMMARY**Carrier:** Sen. Manning Jr**Senate Committee On Rules**

Action Date: 06/20/23
Action: Do pass the A-Eng bill.
Vote: 3-0-3-0
Yeas: 3 - Lieber, Manning Jr, President Wagner
Exc: 3 - Hansell, Knopp, Steiner
Fiscal: Fiscal impact issued
Revenue: No revenue impact
Prepared By: Leslie Porter, LPRO Analyst
Meeting Dates: 6/20

WHAT THE MEASURE DOES:

Extends automatic voter registration to Oregon Health Authority (OHA) as of June 1, 2026. Requires Secretary of State (SOS) to establish by rule the schedule, format, and frequency for OHA to provide electronic records to SOS containing legal name, age, residence, and citizenship information and any electronic signature of each person who is eligible to be qualified elector. Prohibits OHA from providing records for person who is not a United States citizen. Requires SOS to develop process to obtain electronic signature from Oregon Department of Transportation (ODOT) where not provided by OHA. Requires SOS or county clerk to notify each person of the process to decline registration, adopt political party affiliation, and provide a signature if signature was not provided by OHA or ODOT. Allows electronic record to constitute a completed registration card without signature. Requires SOS to adopt rules to ensure no ballot is counted for a person registered to vote where records do not contain an electronic signature. Allows agencies to take action prior to operative dates.

ISSUES DISCUSSED:

- Whether the Centers for Medicare and Medicaid Services (CMS) have approved any states to use the information in the Medicaid system
- The likelihood that CMS will approve this and the states engaged in the process
- Whether a Medicaid waiver, through CMS, is needed

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Automatic voter registration (AVR) is a process where eligible voters are automatically registered to vote when they interact with certain government agencies, most commonly as an opt-out process following interactions with state Department of Motor Vehicles (DMV) offices. In 2016, Oregon became the first state to automatically register eligible citizens who are not currently registered to vote when they apply for an original, renewal, or replacement driver license, permit, or identification card through the DMV.

House Bill 2177 (2015) required the Oregon Department of Transportation, as a designated voter registration agency, to provide the Elections Division of the Secretary of State (SOS) with the electronic records of each person who may be eligible to vote after certain interactions with the DMV. The law, known as "Oregon Motor Voter," was enacted by the Legislative Assembly to modernize the federal "Motor Voter Act" that required DMVs in most states to offer voter registration services, primarily by asking customers if they would like to register. Under Oregon Motor Voter, if a person is not already registered to vote, they receive a card and a pre-paid postage return envelope from the SOS Elections Division following certain interactions with the DMV.

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As of February 2023, 22 states and Washington, D.C., are categorized by the National Conference of State Legislatures as having enacted or implemented automatic voter registration. In May 2023, Minnesota became the 23rd state to adopt AVR.

House Bill 2107 A expands AVR to the Oregon Health Authority as of June 1, 2026, from information provided to the Oregon Health Plan.