

House Bill 2247

Sponsored by Representatives SMITH DB, OSBORNE (Presession filed.)

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 **as introduced**.

Prohibits establishment of unofficial ballot drop sites to collect ballots.

A BILL FOR AN ACT

1
2 Relating to ballot drop sites; amending ORS 260.695.

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

4 **SECTION 1.** ORS 260.695 is amended to read:

5 260.695. (1)(a) If a person prints or circulates an imitation of the ballot or sample ballot:

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

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

15 (b) For purposes of this subsection, an imitation of the ballot or sample ballot includes an imi-
16 tation of a portion of the ballot or sample ballot.

17 (2)(a) As used in this subsection, "imitation voters' pamphlet" means a document that imitates
18 the physical characteristics or appearance of a voters' pamphlet or a portion of a voters' pamphlet
19 published by the Secretary of State or county clerk, as defined in ORS 251.005, under ORS chapter
20 251 and likely misleads or confuses a reasonable person as to whether the document is an official
21 voters' pamphlet or a portion of an official voters' pamphlet in the absence of the required state-
22 ment.

23 (b) If a person prints or circulates an imitation voters' pamphlet, including by electronic means:

24 (A)(i) The imitation voters' pamphlet shall state the following: "THIS IS NOT THE OFFICIAL
25 VOTERS' PAMPHLET." Except as provided in sub-subparagraph (ii) of this subparagraph, the
26 statement on the imitation voters' pamphlet shall be in bold print that is at least 36-point type.

27 (ii) For an imitation voters' pamphlet that is circulated electronically, the statement described
28 in sub-subparagraph (i) of this subparagraph shall be in bold print in a typeface of contrasting color
29 and in a font size that is at least three times as large as the font size used for the majority of the
30 text in the imitation voters' pamphlet.

31 (B) The word "UNOFFICIAL" must be superimposed on each page of the imitation voters'
32 pamphlet so that the word extends diagonally across the imitation voters' pamphlet from one margin

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 of text to the other. The superimposed word may be printed or displayed in lighter ink than other
2 text on the imitation voters' pamphlet.

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

14 (4) A person may not obstruct an entrance of a building in which ballots are issued or a place
15 designated for the deposit of ballots under ORS 254.470 or any voting booth maintained under ORS
16 254.474 is located. This subsection applies during the period beginning on the date that ballots are
17 mailed to electors as provided in ORS 254.470 and ending on election day at 8 p.m. or when all
18 persons waiting in line at the building or location who began the act of voting as described in ORS
19 254.470 (12) by 8 p.m. have finished voting.

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

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

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

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

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

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

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

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

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

42 (14) A person, except an elections official in performance of duties, may not provide elections
43 advice or attempt to collect voted ballots within any building in which any state or local govern-
44 ment elections office designated for the deposit of ballots under ORS 254.470 is located, or within
45 100 feet measured radially from any entrance to the building.

1 (15)(a) **Except as provided in paragraph (b) of this subsection**, a person[, *except an elections*
2 *official in performance of duties,*] may not establish a location to collect ballots voted by electors
3 [*unless:*].

4 **(b) An elections official in performance of duties may establish official ballot drop sites**
5 **designated under ORS 254.470.**

6 [(a) *The person prominently displays at the location a sign stating: "NOT AN OFFICIAL BAL-*
7 *LOT DROP SITE"; and]*

8 [(b) *The sign is printed in all capital letters in bold 50-point type.*]
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