

## SENATE AMENDMENTS TO SENATE BILL 169

By COMMITTEE ON RULES

March 27

1 In line 2 of the printed bill, after “elections” insert “; creating new provisions; and amending  
2 ORS 251.026, 251.167 and 251.315”.

3 Delete lines 4 through 8 and insert:

4 “**SECTION 1.** ORS 251.167 is amended to read:

5 “251.167. (1) The Secretary of State shall create and make publicly available a list of:

6 “(a) The five most commonly spoken languages in the state, other than English; and

7 “(b) The [*five*] **10** most commonly spoken languages in each county, other than English.

8 “(2) The lists created under subsection (1) of this section must:

9 “(a) Be based on the best available data, which may include the most recent American Commu-  
10 nity Survey from the United States Census Bureau, estimates from the Portland State University  
11 Population Research Center and any other necessary data sources;

12 “(b) Include, when complying with subsection (1)(b) of this section, the estimated number of in-  
13 dividuals in each county who speak each listed language; and

14 “(c) Be updated at least once every five years.

15 “(3) The Secretary of State shall:

16 “(a) Ensure each state voters’ pamphlet mailed to residents of a county is translated in the  
17 manner described in ORS 251.170 into:

18 “(A) Each language listed by the Secretary of State under subsection (1)(a) of this section;

19 “(B) Each language listed by the Secretary of State under subsection (1)(b) of this section that  
20 the Secretary of State estimates under subsection (2)(b) of this section to be spoken by [*100*] **300** or  
21 more individuals in any one county; and

22 “(C) Each language that has previously been listed by the Secretary of State under subsection  
23 (1)(b) of this section, even if the language is not included in the most recent list created by the  
24 Secretary of State;

25 “(b) Ensure each county voters’ pamphlet mailed to residents of a county is translated in the  
26 manner described in ORS 251.170 into:

27 “(A) Each language listed by the Secretary of State under subsection (1)(a) of this section;

28 “(B) Each language listed for the county for that county voters’ pamphlet by the Secretary of  
29 State under subsection (1)(b) of this section that the Secretary of State estimates under subsection  
30 (2)(b) of this section to be spoken by [*100*] **300** or more individuals in the county; and

31 “(C) Each language that has previously been listed by the Secretary of State for the county for  
32 that county voters’ pamphlet under subsection (1)(b) of this section, even if the language is not in-  
33 cluded in the most recent list created by the Secretary of State;

34 “(c) Make each translation of the voters’ pamphlet that is made under paragraph (a) or (b) of  
35 this subsection or subsection (4) of this section available on the website of the Secretary of State

1 and of the county as applicable; and

2 “(d) Prominently provide the website address for each translation in the manner set forth in  
3 ORS 251.026 and 251.315.

4 “(4) Notwithstanding subsection (3)(a)(B) and (b)(B) of this section, if the Secretary of State es-  
5 timates under subsection (2)(b) of this section that no language, other than English, is spoken by  
6 [100] **300** or more individuals in a particular county, the Secretary of State shall ensure:

7 “(a) Each state voters’ pamphlet mailed to residents of the county is translated in the manner  
8 described in ORS 251.170 into the most commonly spoken language in that county, other than Eng-  
9 lish, as listed by the Secretary of State under subsection (1)(b) of this section; and

10 “(b) Each county voters’ pamphlet mailed to residents of the county is translated in the manner  
11 described in ORS 251.170 into the most commonly spoken language in that county, other than Eng-  
12 lish, as listed by the Secretary of State under subsection (1)(b) of this section.

13 “(5) The Secretary of State:

14 “(a) May adopt any rules necessary to implement this section; and

15 “(b) Is responsible for all costs necessary to comply with this section.

16 “**SECTION 2.** ORS 251.026 is amended to read:

17 “251.026. (1) The Secretary of State shall prepare and have printed in the voters’ pamphlet for  
18 the state primary election, the general election and any special election described in ORS 251.022  
19 a statement containing, if applicable:

20 “(a) Requirements for a citizen to qualify as an elector.

21 “(b) When an elector is required to register or update a registration.

22 “(c) In the voters’ pamphlet for the primary election, a statement of the duties and responsibil-  
23 ities of a precinct committeeperson to be elected at the primary election.

24 “(d) Any other information the Secretary of State considers relevant to the conduct of the  
25 election.

26 “(2) The Secretary of State, in cooperation with the county clerks, shall include:

27 “(a) A statement on the cover of the voters’ pamphlet that the pamphlet may be used to assist  
28 electors in voting; and

29 “(b)(A) Statements in the information section of the voters’ pamphlet on the pages immediately  
30 following the page containing the Secretary of State letter, to the extent reasonably practicable,  
31 that, for residents of each county to which the voters’ pamphlet is distributed:

32 “(i) Are written in English and the [five] **10** additional common languages for the county listed  
33 by the Secretary of State under ORS 251.167;

34 “(ii) Explain that an electronic copy of portions of the voters’ pamphlet is publicly available in  
35 that language; and

36 “(iii) Provide the website address to the translated voters’ pamphlet.

37 “(B) The statements required under subparagraph (A) of this paragraph must be written so as  
38 to be clearly readable.

39 “(C) The Secretary of State may adopt rules necessary to implement this paragraph.

40 “(3) The Secretary of State may include in the voters’ pamphlet the following information:

41 “(a) Maps showing the boundaries of senatorial and representative districts.

42 “(b) Voter registration forms.

43 “(c) Elector instructions, including the right of an elector to request a second ballot if the first  
44 ballot is spoiled and the right of an elector to seek assistance in marking the ballot.

45 “(4)(a) The name of the county clerk or other filing officer may not appear in the voters’ pam-

1 phlet in the county clerk’s or filing officer’s official capacity if the county clerk or filing officer is  
2 a candidate in the election for which the voters’ pamphlet is printed.

3 “(b) As used in this subsection, ‘filing officer’ has the meaning given that term in ORS 254.165.

4 “**SECTION 3.** ORS 251.315 is amended to read:

5 “251.315. (1) If a county produces a county voters’ pamphlet, the county voters’ pamphlet shall  
6 include, when applicable, at least the following information:

7 “(a) Requirements for a citizen to qualify as an elector.

8 “(b) Requirements for registration and updates of registration.

9 “(c) Elector instructions, including the right of an elector to request a second ballot if the first  
10 ballot is spoiled and the right of an elector to seek assistance in marking the ballot.

11 “(d) The hours and locations of places designated under ORS 254.470 for deposit of official bal-  
12 lots.

13 “(e) Any portraits and statements relating to candidates submitted in accordance with the pro-  
14 visions of ORS 251.305 to 251.435.

15 “(f) Any ballot titles, explanatory statements and arguments submitted in accordance with the  
16 provisions of ORS 251.305 to 251.435.

17 “(g)(A) Statements in the information section of the voters’ pamphlet on the pages immediately  
18 following the page containing the Secretary of State letter, to the extent reasonably practicable,  
19 that:

20 “(i) Are written in English and the [*five*] **10** additional common languages for the county listed  
21 by the Secretary of State under ORS 251.167;

22 “(ii) Explain that an electronic copy of portions of the voters’ pamphlet is publicly available in  
23 that language; and

24 “(iii) Provide the website address to the translated voters’ pamphlet.

25 “(B) The statements required under subparagraph (A) of this paragraph must be written so as  
26 to be clearly readable.

27 “(C) The Secretary of State may adopt rules necessary to implement this paragraph.

28 “(h) Such other information as the county clerk considers to be appropriate or necessary to in-  
29 form the voters.

30 “(2) The county clerk shall mail or otherwise distribute the county voters’ pamphlet not later  
31 than the last day for mailing ballots to electors as provided in ORS 254.470.

32 “(3)(a) The name of the county clerk or other filing officer may not appear in the county voters’  
33 pamphlet in the county clerk’s or filing officer’s official capacity if the county clerk or filing officer  
34 is a candidate in the election for which the voters’ pamphlet is printed.

35 “(b) As used in this subsection, ‘filing officer’ has the meaning given that term in ORS 254.165.

36 “**SECTION 4. The amendments to ORS 251.026, 251.167 and 251.315 by sections 1 to 3 of**  
37 **this 2023 Act first apply to state voters’ pamphlets and county voters’ pamphlets that are**  
38 **distributed on or after April 30, 2024.”.**