

Requested by Representative HIEB

**PROPOSED AMENDMENTS TO
HOUSE BILL 2107**

1 On page 1 of the printed bill, delete lines 6 through 28.

2 Delete pages 2 through 5.

3 On page 6, delete lines 1 through 5 and insert:

4 **“SECTION 2. (1)(a) Subject to compliance with all applicable federal**
5 **laws and regulations, the Secretary of State shall by rule establish a**
6 **schedule by which each qualified entity shall provide to the secretary**
7 **electronic records, derived from some or all of a person’s registration**
8 **information provided by the person to the qualified entity in a quali-**
9 **fying transaction, of each person who the qualified entity deems may**
10 **be eligible to be a qualified elector under Article II, section 2, of the**
11 **Oregon Constitution.**

12 **“(b) The secretary may establish by rule, after consultation with**
13 **each qualified entity, what electronic records establish, for purposes**
14 **of this subsection, whether a person may be eligible to be a qualified**
15 **elector.**

16 **“(c) Notwithstanding paragraph (a) of this subsection, a qualified**
17 **entity may not provide to the secretary any electronic records dem-**
18 **onstrating that a person is not a citizen of the United States.**

19 **“(2) When establishing a schedule under subsection (1) of this sec-**
20 **tion, the secretary may adopt rules governing the format and fre-**
21 **quency of data transfer.**

1 **“(3)(a) The secretary:**

2 **“(A) Shall by rule develop a process to obtain any missing regis-**
3 **tration information from the Department of Transportation for each**
4 **person described in subsection (1) of this section for whom the quali-**
5 **fied entity does not provide all registration information; and**

6 **“(B) May use any registration information that is obtained under**
7 **subparagraph (A) of this paragraph, or that is otherwise in the**
8 **secretary’s possession, for the purpose of registering a person to vote**
9 **under this section.**

10 **“(b) The Department of Transportation may not provide to the**
11 **secretary registration information of a person under this subsection**
12 **if the department’s records demonstrate that the person is not a citi-**
13 **zen of the United States.**

14 **“(4) Upon receiving the electronic record for a person described in**
15 **subsection (1) of this section, and any missing registration information**
16 **for the person under subsection (3) of this section, the secretary shall**
17 **provide the person’s registration information to the county clerk of**
18 **the county in which the person may be registered as an elector. The**
19 **secretary or county clerk shall notify each person of the process to:**

20 **“(a) Decline being registered as an elector.**

21 **“(b) Adopt a political party affiliation.**

22 **“(5) If a person notified under subsection (4) of this section does**
23 **not decline to be registered as an elector within 21 calendar days after**
24 **the secretary or county clerk issues the notification, the person’s**
25 **registration information submitted to the county clerk under sub-**
26 **section (4) of this section will constitute a completed registration card**
27 **for the person for purposes of this chapter. The person shall be regis-**
28 **tered to vote if the county clerk determines that the person is quali-**
29 **fied to vote under Article II, section 2, of the Oregon Constitution, and**
30 **the person is not already registered to vote.**

1 **“(6) A county clerk may not send a ballot to, or add to an elector**
2 **registration list, a person who is determined under subsection (5) of**
3 **this section to be qualified to vote, and who is not already registered**
4 **to vote, until at least 21 calendar days after the secretary or county**
5 **clerk provided notification to the person as described in subsection (4)**
6 **of this section.**

7 **“(7) The transfer of personal information and data by a qualified**
8 **entity or the Department of Transportation to the secretary under this**
9 **section is limited to the information and data that is necessary to**
10 **register people as electors. Information and data transferred to the**
11 **secretary under this section may be used only for the purpose of reg-**
12 **istering people as electors.**

13 **“(8) The secretary shall adopt rules required to implement this**
14 **section. Any rules adopted under this section:**

15 **“(a) Are subject to input and public comment, including comment**
16 **from each qualified entity; and**

17 **“(b) May come into effect only after the secretary and each quali-**
18 **fied entity test and verify the data transfer processes.**

19 **“(9) As used in this section:**

20 **“(a) ‘Electronic signature’ means an electronic form of a hand-**
21 **written signature that can be verified, in the manner described in ORS**
22 **254.470 (11), for the purpose of tallying ballots.**

23 **“(b) ‘Qualified entity’ means:**

24 **“(A) The Oregon Health Authority;**

25 **“(B) The State Department of Fish and Wildlife;**

26 **“(C) A gun dealer as defined in ORS 166.412;**

27 **“(D) The sheriff of a county; or**

28 **“(E) The Secretary of State.**

29 **“(c) ‘Qualifying transaction’ means:**

30 **“(A) Participating in the Oregon Health Plan;**

1 **“(B) Applying for a hunting or fishing license with the State De-**
2 **partment of Fish and Wildlife;**

3 **“(C) Purchasing a firearm from a gun dealer in a manner that re-**
4 **quires the purchaser to provide the gun dealer with the information**
5 **described in ORS 166.412 (2);**

6 **“(D) Applying for a concealed handgun license from the sheriff of**
7 **a county; or**

8 **“(E) Registering a business with the Secretary of State.**

9 **“(d) ‘Registration information’ means:**

10 **“(A) An individual’s legal name, age, residence and citizenship in-**
11 **formation; and**

12 **“(B) The individual’s electronic signature.**

13 **“SECTION 3. ORS 247.002 is amended to read:**

14 **“247.002. As used in this chapter:**

15 **“(1) ‘County clerk’ means the county clerk or the county official in charge**
16 **of elections.**

17 **“(2) ‘Elector’ means an individual qualified to vote under Article II, sec-**
18 **tion 2, Oregon Constitution.**

19 **“(3) ‘Registration card’ means:**

20 **“(a) A state voter registration card approved by the Secretary of State**
21 **under ORS 247.171[.];**

22 **“(b) A federal voter registration application form prescribed by the Fed-**
23 **eral Election Commission pursuant to the National Voter Registration Act**
24 **of 1993 (P.L. 103-31) [or];**

25 **“(c) An electronic record containing an individual’s legal name, age,**
26 **residence and citizenship information and electronic signature submitted to**
27 **the Department of Transportation in the manner described in ORS 247.017;**
28 **or**

29 **“(d) An electronic record created from some or all of an individual’s**
30 **registration information submitted by the individual to a qualified**

1 **entity in the manner described in section 2 of this 2023 Act.**

2 “(4) As used in this section, ‘qualified entity’ and ‘registration in-
3 formation’ have the meanings given those terms in section 2 of this
4 **2023 Act.**

5 **“SECTION 4.** ORS 247.012 is amended to read:

6 “247.012. (1) A qualified person may register to vote or update a regis-
7 tration to vote by:

8 “(a) Delivering by mail, having a person deliver or otherwise delivering
9 a completed registration card to any county clerk, the Secretary of State, any
10 office of the Department of Transportation or any designated voter registra-
11 tion agency as described in ORS 247.208;

12 “(b) Personally delivering, or having a person deliver, the card to an of-
13 ficial designated by a county clerk under subsection (7) of this section;

14 “(c) Submitting the person’s legal name, age, residence and citizenship
15 information and electronic signature to the Department of Transportation;

16 [or]

17 **“(d) Submitting some or all of the person’s registration information**
18 **to a qualified entity as part of a qualifying transaction in a manner**
19 **that allows the county clerk to register the person to vote or update**
20 **the person’s voter registration through the process described in sec-**
21 **tion 2 of this 2023 Act; or**

22 “[d] (e) Completing a registration card using the electronic voter regis-
23 tration system described in ORS 247.019.

24 “(2) If a registration card is mailed or delivered to:

25 “(a) Any person other than a county clerk or the Secretary of State, the
26 person shall forward the card to a county clerk or the Secretary of State not
27 later than the fifth day after receiving the card; or

28 “(b) The Secretary of State or a county clerk for a county other than the
29 county in which the person applying for registration resides, the Secretary
30 of State or county clerk shall forward the card to the county clerk for the

1 county in which the person resides not later than the fifth day after receiv-
2 ing the card.

3 “(3) Registration of a qualified person occurs:

4 “(a) When a legible, accurate and complete registration card is received
5 in the office of any county clerk, the Office of the Secretary of State, an
6 office of the Department of Transportation, a designated voter registration
7 agency under ORS 247.208 or at a location designated by a county clerk un-
8 der subsection (7) of this section;

9 “(b) On the date a registration card is postmarked if the card is received
10 after the 21st day immediately preceding an election but is postmarked not
11 later than the 21st day immediately preceding the election and is addressed
12 to an office of any county clerk, the Office of the Secretary of State, an of-
13 fice of the Department of Transportation or any designated voter registration
14 agency as described in ORS 247.208; or

15 “(c) In the case of a registration card missing a date of birth, containing
16 an incomplete date of birth or containing an unintentional scrivener’s error
17 that is supplied or corrected as described in subsection (4) or (6) of this
18 section, on the date that registration would have occurred if the registration
19 card had not been missing the date of birth, contained an incomplete date
20 of birth or contained the scrivener’s error.

21 “(4)(a) Except as provided in ORS 247.125, if a registration card is legible,
22 accurate and contains, at a minimum, the registrant’s name, residence ad-
23 dress, date of birth and signature, the county clerk shall register the person.

24 “(b) If the information required under paragraph (a) of this subsection is
25 missing from the registration card or the date of birth is incomplete, the
26 county clerk shall attempt to obtain the missing or incomplete information
27 from all sources available to the county clerk, including but not limited to
28 current and previous addresses and phone numbers of the registrant. The
29 county clerk may also supply the registrant’s date of birth from any previous
30 registration of the registrant. If the missing or incomplete information can-

1 not be obtained from sources available to the county clerk, the county clerk
2 shall use reasonable efforts to contact the registrant by phone, mail and
3 electronic mail to obtain the missing or incomplete information.

4 “(5) If a registration card meets the requirements of subsection (4) of this
5 section but is missing an indication of political party affiliation, the regis-
6 trant shall be considered not affiliated with any political party. This sub-
7 section does not apply if an elector is updating a registration.

8 “(6) If a registration card contains an unintentional scrivener’s error, the
9 county clerk may attempt to contact the person to correct the error.

10 “(7) A county clerk may appoint officials to accept registration of persons
11 at designated locations. The appointments and locations shall be in writing
12 and filed in the office of the county clerk. The county clerk shall be re-
13 sponsible for the performance of duties by those appointed.

14 “(8) A registration card received and accepted under this section shall be
15 considered an active registration.

16 “(9) A registration may be updated at any time.

17 “(10) **As used in this section, ‘qualified entity,’ ‘qualifying trans-**
18 **action’ and ‘registration information’ have the meanings given those**
19 **terms in section 2 of this 2023 Act.**

20 “**SECTION 5.** ORS 247.292 is amended to read:

21 “247.292. (1) A county clerk shall update the registration of an elector in
22 the county upon receiving evidence from:

23 “(a) The elector indicating a residence or mailing address that is different
24 from the residence or mailing address for the elector as contained in the
25 records of the county clerk;

26 “(b) The United States Postal Service indicating a residence address that
27 is different from the residence address for the elector as contained in the
28 records of the county clerk; or

29 “(c) The Secretary of State as provided in ORS 247.017 or 247.295 **or**
30 **section 2 of this 2023 Act.**

1 “(2) When a county clerk updates the registration of an elector under
2 subsection (1) of this section, the clerk shall send a new voter notification
3 card by nonforwardable mail to the elector as provided in ORS 247.181. The
4 clerk shall include a notice stating that if the residence address or mailing
5 address is not correct, the elector must notify the clerk.

6 “(3) An elector is not disqualified from voting due to any error relating
7 to an update of registration made under this section.

8 “**SECTION 6.** ORS 247.014 is amended to read:

9 “247.014. (1) In implementing ORS 247.012, 247.017 and 247.171 **and sec-**
10 **tion 2 of this 2023 Act**, the Department of Transportation **and each qual-**
11 **ified entity** shall take steps reasonably necessary to allow transfer of voter
12 registration information by electronic or magnetic medium.

13 “**(2) As used in this section, ‘qualified entity’ has the meaning given**
14 **that term in section 2 of this 2023 Act.**

15 “**SECTION 7.** ORS 247.171 is amended to read:

16 “247.171. (1) Except as provided in this subsection, the Secretary of State
17 shall design, prepare and distribute state voter registration cards. The Sec-
18 retary of State shall also distribute federal registration cards. Any person
19 may apply in writing to the Secretary of State for permission to print, copy
20 or otherwise prepare and distribute the registration cards designed by the
21 Secretary of State. The secretary may revoke any permission granted under
22 this subsection at any time. All registration cards shall be distributed to the
23 public without charge.

24 “(2) The Secretary of State shall approve any voter registration applica-
25 tion form developed for use by any agency designated as a voter registration
26 agency under ORS 247.208.

27 “(3) Each voter registration card designed or approved by the Secretary
28 of State shall describe the penalties for knowingly supplying false informa-
29 tion on the registration card and shall contain space for a person to provide
30 the following information:

1 “(a) Full name;

2 “(b) Residence address, mailing address or any other information neces-
3 sary to locate the residence of the person offering to register to vote;

4 “(c) The name of the political party with which the person is affiliated,
5 if any;

6 “(d) Date of birth;

7 “(e) An indication that the person is a citizen of the United States; and

8 “(f) A signature attesting, **except for an electronic signature obtained**
9 **as provided under section 2 of this 2023 Act**, to the fact that the person
10 is qualified to be an elector.

11 “(4) Any form containing a voter registration card may also include space
12 for a person to provide:

13 “(a) A telephone number where the person may be contacted; and

14 “(b) If previously registered to vote in this state, the name then supplied
15 by the person and the county and, if known, the address of previous regis-
16 tration.

17 “(5) A person shall not supply any information under subsection (3) or (4)
18 of this section knowing it to be false.

19 “(6) A county clerk or other person accepting registration cards shall not
20 request any information unless it is authorized by state or federal law.

21 “(7) **Except as provided in section 2 of this 2023 Act**, a person shall
22 attest to the information supplied on the voter registration card by signing
23 the completed registration card.

24 “(8) **Except as provided in subsection (7) of this section**, any com-
25 pleted and signed registration card described in subsection (3) of this section
26 shall be the official registration card of the elector.

27 “**SECTION 8.** ORS 247.019, as amended by section 1, chapter 19, Oregon
28 Laws 2022, is amended to read:

29 “247.019. (1) The Secretary of State by rule shall adopt an electronic voter
30 registration system to be used by qualified persons who have a valid:

1 “(a) Oregon driver license, as defined in ORS 801.245;
2 “(b) Oregon driver permit, as defined in ORS 801.250;
3 “(c) State identification card, issued under ORS 807.400; or
4 “(d) Social Security number.
5 “(2)(a) The electronic voter registration system shall:
6 “(A) Require a person registering to vote under subsection (1)(d) of this
7 section to enter only the final four digits of the person’s valid Social Secu-
8 rity number;
9 “(B) Allow a person [*registering to vote under subsection (1)(d) of this*
10 *section*] to electronically submit an image of the person’s signature; and
11 “(C) Allow a qualified person to complete and deliver a registration card
12 electronically.
13 “(b) A registration card delivered under this section is considered deliv-
14 ered to the Secretary of State for purposes of this chapter.
15 “(3) A person who completes a registration card electronically under this
16 section consents to the use of the person’s driver license, driver permit or
17 state identification card signature, or an electronically submitted image of
18 the person’s signature, for voter registration purposes.
19 “(4) If available, the Department of Transportation shall provide to the
20 Secretary of State a digital copy of the driver license, driver permit or state
21 identification card signature of each person who completes a registration
22 card under this section.
23 “(5) The electronic voter registration system may also include an appli-
24 cation programming interface to allow third-party organizations to securely
25 submit registration cards electronically on behalf of individuals. In order to
26 submit registration cards under this subsection, a third-party organization
27 must be approved as a voter registration organization under a process de-
28 signed by the Secretary of State by rule.”
29 Delete lines 27 through 37 and insert:
30 **“SECTION 11. (1) Section 2 of this 2023 Act and the amendments to**

1 **ORS 247.002, 247.012, 247.014, 247.019, 247.171 and 247.292 by sections 3**
2 **to 8 of this 2023 Act become operative on June 1, 2026.**

3 **“(2) The Secretary of State, each qualified entity as defined in sec-**
4 **tion 2 of this 2023 Act, the Department of Transportation and the**
5 **county clerks may take any action before the operative date specified**
6 **in subsection (1) of this section that is necessary for the Secretary of**
7 **State, each qualified entity, the Department of Transportation and the**
8 **county clerks to exercise, on and after the operative date specified in**
9 **subsection (1) of this section, all of the duties, functions and powers**
10 **conferred on the Secretary of State, each qualified entity, the De-**
11 **partment of Transportation and the county clerks by section 2 of this**
12 **2023 Act and the amendments to ORS 247.002, 247.012, 247.014, 247.019,**
13 **247.171 and 247.292 by sections 3 to 8 of this 2023 Act.”.**

14
