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Chair Lieber, Vice-Chair Knopp, and members of the Senate Committee on Rules:

I am Jessica Ventura, Legislative Director for the Secretary of State's Office. I am submitting the following written testimony to provide information on HB 2004-A, which seeks to implement Rank Choice Voting (RCV) for certain statewide elections. We submit the following as technical information as you consider HB 2004 and we do not have a position on the bill at the time.

What does HB 2004 do?

HB 2004-A refers RCV to the voters. The amendment also changes the nomination and election process for the offices of US President, US Senator, US Representative, Governor, Secretary of State, State Treasurer and Attorney General to be conducted by ranked choice voting. Additionally, the bill authorizes cities, counties, metro service district, local government, and local service districts to elect to use ranked choice voting to nominate/elect candidates. The -2 amendment moves the election of BOLI commissioner to the primary election and is elected by RCV. It also adds a requirement for the SOS and county clerks to submit joint reports that may include recommendations for legislation which details the costs associated with the implementation of RCV.

To maintain uniformity in the application, operation, and interpretation of Oregon election laws under [ORS 246.110](#), the Secretary of State will need sufficient rulemaking authority to ensure compliance with this statute. All 36 counties would potentially be tallying contests in many varying formats. This circumstance would require guidance and resources regarding the abstracting process, machine coding/preparation, clear and plain instructions to voters, and proactive voter and clerk/staff information sharing/learning opportunities. This will require SOS to interpret home rule charters and local ordinances.

Requests

To make sure RCV is implemented properly and to allow county clerks time to purchase and/or update tabulation equipment to meet the specific requirements of a statewide policy, we have asked for a longer implementation date of Jan 1, 2028. As written, HB 2004-A would allow voters to weigh in on the policy in November 2024 and includes an operative date of December 10, 2026. If approved, counties and the Elections Division would have roughly 13 months for implementation. This is simply not enough time

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to securely and thoroughly implement such a large change to Oregon's voting process. [We agree with the Association of County Clerks](#) in that we need more time to discuss the bill further.

If approved by voters, there will also be a need for the Elections Division to invest in a voter education and outreach campaign on RCV to help Oregonians understand changes to their ballot. The requirements outlined above and necessitated by a major change to Oregon's voting processes will require several additional positions in the Elections Division to take on this new workload. The Elections Division estimates that if voters approved RCV, implementation costs, including voter education and outreach, could add up to approximately \$21 million. (estimate).

To implement the law, the Secretary of State will need to adopt rules in consultation with county clerks. The Elections Division will need to analyze Oregon's election laws to determine whether additional legislation is needed to fully authorize cities, counties, and metro service districts to nominate by RCV. This report analysis must be submitted no later than Sept. 15, 2025. The bill also directs us to adopt a method to determine results of a RCV contest where more than one candidate is to be elected. The bill requires the SOS to provide formal and informal guidance regarding the implementation of RCV at the local level.

Thank you,

Jessica Ventura
Legislative Director

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