

# House Bill 3777

Sponsored by Representative RESCHKE

## 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes Election Day a legal holiday. The Act sets the date for the legal holiday. The Act requires employers to provide eight hours of Election Day paid time off for their employees.

The Act makes voting in person the normal method for voting. The Act requires voters to show picture ID when voting or requesting a ballot. (Flesch Readability Score: 70.1).

Designates Election Day as a legal holiday on the first Tuesday after the first Monday in November of an even-numbered year. Requires employers of employees to provide up to eight hours of paid Election Day leave.

Makes in-person voting on the date of an election the standard method for conducting an election. Allows an elector to request a ballot that may be voted by mail if the elector is unable to vote in person on the date of the election. Retains vote by mail as the primary method for conducting elections for military and overseas electors and for electors who have a mailing address outside of Oregon.

Requires electors to present valid government-issued identification when appearing in-person to vote or when requesting a ballot be sent by mail. Requires all ballots to be returned by the date of an election.

Removes a requirement that the state pay postage for ballots returned by mail.

## A BILL FOR AN ACT

Relating to conduct of elections; creating new provisions; amending ORS 187.010, 192.842, 247.018, 247.307, 247.948, 247.965, 251.175, 251.315, 253.005, 253.065, 253.070, 253.585, 253.690, 254.321, 254.365, 254.408, 254.465, 254.470, 254.474, 254.480, 254.482, 254.485, 260.665, 260.695, 350.245 and 545.135; and repealing ORS 254.458 and 254.473.

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

## ELECTION DAY A PAID LEGAL HOLIDAY

**SECTION 1.** ORS 187.010 is amended to read:

187.010. (1) The following days are legal holidays in this state:

(a) Each Sunday.

(b) New Year's Day on January 1.

(c) Martin Luther King, Jr.'s Birthday on the third Monday in January.

(d) Presidents Day, for the purpose of commemorating Presidents Washington and Lincoln, on the third Monday in February.

(e) Memorial Day on the last Monday in May.

(f) Juneteenth on June 19.

(g) Independence Day on July 4.

(h) Labor Day on the first Monday in September.

(i) **Election Day on the first Tuesday after the first Monday in November of an even-numbered year.**

**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 (j) Veterans Day on November 11.

2 [(j)] (k) Thanksgiving Day on the fourth Thursday in November.

3 [(k)] (L) Christmas Day on December 25.

4 (2) Each time a holiday, other than Sunday, listed in subsection (1) of this section falls on Sun-  
5 day, the succeeding Monday shall be a legal holiday. Each time a holiday listed in subsection (1)  
6 of this section falls on Saturday, the preceding Friday shall be a legal holiday.

7 (3) Any act authorized, required or permitted to be performed on a holiday as designated in this  
8 section may be performed on the next succeeding business day; and no liability or loss of rights of  
9 any kind shall result from such delay.

10 (4) In enumerating legal holidays in subsection (1) of this section, the Legislative Assembly does  
11 not intend to limit or otherwise affect public or private collective bargaining or collective bargain-  
12 ing agreements.

13 **SECTION 2.** ORS 545.135 is amended to read:

14 545.135. (1) Except for the second Tuesday in November next following the organization of the  
15 district, an election shall be held in each district on the second Tuesday in November of each year,  
16 at which one or more directors shall be elected. The person receiving the highest number of votes  
17 for any office to be filled shall be elected, and shall hold office for three years from the annual or-  
18 ganizational meeting in January next following the election and until a successor is elected and  
19 qualified. The qualifications for a director shall be those set forth in ORS 545.043.

20 (2) In districts organized prior to May 21, 1917, a director shall be elected from each of the three  
21 divisions into which the board of directors may have divided the district, or, if the board of directors  
22 has so ordered, the directors shall be elected from the district at large.

23 (3) A newly elected director shall take the official oath at the annual organizational meeting in  
24 January next following the election or as soon thereafter as possible. The director shall file the oath  
25 in the office of the board of directors.

26 (4) Notwithstanding subsection (1) of this section, if the second Tuesday in November falls on  
27 a holiday as defined in ORS 187.010, **other than Election Day**, and 187.020, the election shall be  
28 held on the day following the second Tuesday in November.

29 **SECTION 3. Section 4 of this 2025 Act is added to and made a part of ORS chapter 247.**

30 **SECTION 4. Employers that employ employees in this state shall permit an employee to**  
31 **use Election Day leave without loss of time, pay or benefits. Election Day leave may be taken**  
32 **for up to eight hours on the date of the election. Election Day leave is in addition to any**  
33 **other accrued paid leave to which an employee may be entitled.**

34  
35 **ELECTIONS CONDUCTED IN PERSON ON DATE OF ELECTION**

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37 **SECTION 5.** ORS 254.465 is amended to read:

38 254.465. (1) County clerks shall conduct all elections in this state *[by mail]* **in person, on the**  
39 **date of the election and at a voting booth maintained under ORS 254.474.**

40 (2) **Notwithstanding subsection (1) of this section, any elector may request that the**  
41 **county clerk provide the elector with a ballot that may be returned by mail if the elector:**

42 (a) **Is for any reason unable to vote in person on the date of the election; and**

43 (b) **Requests a ballot that may be returned by mail no later than 21 days before the date**  
44 **of the election.**

45 [(2)] (3) The Secretary of State shall adopt rules to:

1 (a) Provide for uniformity in the conduct of **in-person voting** for state elections [*by mail*], **in-**  
 2 **cluding a requirement that an elector must present valid government-issued identification**  
 3 **that contains a photographic image of the elector prior to voting; and**

4 (b) Govern the procedures for [*conducting elections by mail.*]:

5 (A) **Electors to request a ballot that may be returned by mail under subsection (2) of this**  
 6 **section, including the requirements that:**

7 (i) **Any request be submitted either in person or on the Internet; and**

8 (ii) **An elector must verify the elector’s identity upon submitting a request under sub-**  
 9 **section (2) of this section;**

10 (B) **County clerks to provide ballots that may be returned by mail to a person who makes**  
 11 **a request under subsection (2) of this section; and**

12 (C) **Ensuring that ballots that are returned by mail are transported, stored and tallied**  
 13 **in a secure and accurate manner.**

14 (4) **This section does not apply to:**

15 (a) **Military or overseas electors as defined in ORS 253.510; or**

16 (b) **Absent electors as defined in ORS 253.005.**

17 (5) **For purposes of this section, “valid government-issued identification” includes:**

18 (a) **An Oregon driver license, driver permit or state identification card issued under ORS**  
 19 **807.400; and**

20 (b) **A United States passport or United States military identification card.**

21 **SECTION 6.** ORS 254.474 is amended to read:

22 254.474. [*(1) At each primary election and general election, the county clerk shall maintain voting*  
 23 *booths in the county as follows:*]

24 [*(a) In each county with 35,000 or more electors in the county, the county clerk shall maintain a*  
 25 *number of voting booths equal to at least one voting booth for every 20,000 electors in the county;*  
 26 *and]*

27 [*(b) In each county with fewer than 35,000 electors in the county, the county clerk shall maintain*  
 28 *at least one voting booth.]*

29 (1)(a) **The Secretary of State, in consultation with county clerks, shall establish by rule**  
 30 **the minimum number of voting booths that must be maintained in each precinct and county**  
 31 **for each election in order to ensure that all electors are provided with the opportunity to**  
 32 **cast a ballot in person on the date of the election.**

33 (b) **Rules adopted under this subsection shall also specify the dates and times the voting**  
 34 **booths must be open and the security requirements for the voting booths. At a minimum,**  
 35 **the voting booths designated under this section must be open on the date of the election for**  
 36 **a period of eight or more hours, but must be open until at least 8 p.m. At each voting booth**  
 37 **designated under this section, the county clerk shall prominently display a sign stating that**  
 38 **the location is an official voting booth.**

39 (2) **The county clerk may:**

40 (a) **At the county’s expense, increase the number of voting booths operated during an**  
 41 **election; and**

42 (b) **Determine the location of the voting booths required under this section.**

43 (3) **At 8 p.m. on election day, electors who are at the county clerk’s office, a voting booth**  
 44 **described under subsection (1) of this section or any location described in ORS 254.472 and**  
 45 **who are in line waiting to vote or deposit a voted ballot shall be considered to have begun**

1 the act of voting.

2 **SECTION 7.** Section 8 of this 2025 Act is added to and made a part of ORS chapter 254.

3 **SECTION 8.** For an election held on the date of a primary election:

4 (1) The county clerk shall provide the official ballot of a major political party to each  
 5 elector who is registered as being affiliated with the major political party as of the 21st day  
 6 before the date of the election and who provides the county clerk with valid government-  
 7 issued identification that contains a photographic image of the elector.

8 (2) The county clerk shall provide the official ballot of a major political party to an  
 9 elector not affiliated with any political party if the elector:

10 (a) Has applied for the ballot as provided in subsection (3) of this section and that party  
 11 has provided under ORS 254.365 for a primary election that admits electors not affiliated with  
 12 any political party; and

13 (b) Provides the county clerk with valid government-issued identification.

14 (3) An elector not affiliated with any political party who wishes to vote in the primary  
 15 election of a major political party shall apply to the county clerk in writing. The application  
 16 must be completed, signed and submitted by the elector electronically, in person or by mail,  
 17 in a manner determined by the Secretary of State by rule, and must indicate which major  
 18 political party ballot the elector wishes to receive. Subject to ORS 247.203, the application  
 19 must be received by the county clerk not later than 5 p.m. of the 21st day before the date  
 20 of the election.

21 (4) If the primary election ballot includes city, county or nonpartisan offices or measures,  
 22 the county clerk shall provide to each elector who is not eligible to vote for party candidates  
 23 a ballot limited to those offices and measures for which the elector is eligible to vote.

24 (5) For purposes of this section, “valid government-issued identification” includes:

25 (a) An Oregon driver license, driver permit or state identification card issued under ORS  
 26 807.400 that contains the elector’s current residence address; and

27 (b) A United States passport or United States military identification card.

28 **SECTION 9.** ORS 254.470 is amended to read:

29 254.470. *[(1) The Secretary of State by rule shall establish requirements and criteria for the desig-*  
 30 *nation of places of deposit for the ballots cast in an election. The rules shall also specify the dates and*  
 31 *times the places of deposit must be open and the security requirements for the places of deposit. At a*  
 32 *minimum, the places designated under this section shall be open on the date of the election for a period*  
 33 *of eight or more hours, but must be open until at least 8 p.m. At each place of deposit designated under*  
 34 *this section, the county clerk shall prominently display a sign stating that the location is an official*  
 35 *ballot drop site.]*

36 *[(2)(a) Except as provided in paragraphs (b) to (e) of this subsection, the county clerk shall mail*  
 37 *by nonforwardable mail an official ballot with a return identification envelope and a secrecy envelope*  
 38 *not sooner than the 20th day before the date of an election and not later than the 14th day before the*  
 39 *date of the election, to each active elector of the electoral district as of the 21st day before the date of*  
 40 *the election.]*

41 *[(b) If the county clerk determines that an active elector of the electoral district as of the 21st day*  
 42 *before the date of the election does not receive daily mail service from the United States Postal Service,*  
 43 *the county clerk shall mail by nonforwardable mail an official ballot with a return identification en-*  
 44 *velope and a secrecy envelope to the elector not sooner than the 20th day before the date of an election*  
 45 *and not later than the 18th day before the date of the election.]*

1        *[(c) In the case of ballots to be mailed to addresses outside this state to electors who are not mili-*  
 2 *tary or overseas electors, the county clerk may mail the ballots not sooner than the 29th day before the*  
 3 *date of the election.]*

4        *[(d) If an active elector of the electoral district requests an absentee ballot because the elector will*  
 5 *be absent from the electoral district during the period of time described in paragraph (a) of this sub-*  
 6 *section, the county clerk may, if the elector's ballot is available:]*

7        *[(A) Allow the elector to receive the elector's ballot in person at the office of the county clerk not*  
 8 *sooner than the 43rd day before the date of the election; or]*

9        *[(B) Mail by nonforwardable mail an official ballot with a return identification envelope and a*  
 10 *secrecy envelope to the elector not sooner than the 43rd day before the date of the election.]*

11        *[(e) The county clerk is not required to mail a secrecy envelope under this subsection if the Secre-*  
 12 *tary of State has approved a different procedure under ORS 254.458 that provides substantially the*  
 13 *same degree of secrecy.]*

14        *[(3) For an election held on the date of a primary election:]*

15        *[(a) The county clerk shall mail the official ballot of a major political party to each elector who is*  
 16 *registered as being affiliated with the major political party as of the 21st day before the date of the*  
 17 *election.]*

18        *[(b) The county clerk shall mail the official ballot of a major political party to an elector not af-*  
 19 *filiated with any political party if the elector has applied for the ballot as provided in this subsection*  
 20 *and that party has provided under ORS 254.365 for a primary election that admits electors not affil-*  
 21 *iated with any political party.]*

22        *[(c) An elector not affiliated with any political party who wishes to vote in the primary election of*  
 23 *a major political party shall apply to the county clerk in writing. The application must be completed,*  
 24 *signed and submitted by the elector electronically, in person or by mail, in a manner determined by the*  
 25 *secretary by rule and must indicate which major political party ballot the elector wishes to receive.*  
 26 *Except for electors described in subsection (4) of this section, and subject to ORS 247.203, the applica-*  
 27 *tion must be received by the county clerk not later than 5 p.m. of the 21st day before the date of the*  
 28 *election.]*

29        *[(d) If the primary election ballot includes city, county or nonpartisan offices or measures, the*  
 30 *county clerk shall mail to each elector who is not eligible to vote for party candidates a ballot limited*  
 31 *to those offices and measures for which the elector is eligible to vote.]*

32        *[(4)(a) For each elector who updates a voter registration after the deadline in ORS 247.025, the*  
 33 *county clerk shall make the official ballot, the return identification envelope and the secrecy envelope*  
 34 *available either by mail or at the county clerk's office or at another place designated by the county*  
 35 *clerk. An elector to whom this subsection applies must request a ballot from the county clerk.]*

36        *[(b) The county clerk is not required to make available a secrecy envelope under this subsection if*  
 37 *the Secretary of State has approved a different procedure under ORS 254.458 that provides substan-*  
 38 *tially the same degree of secrecy.]*

39        **In addition to any rules adopted by the Secretary of State under ORS 254.465, for any**  
 40 **ballot that may be returned by mail:**

41        *[(5)] (1) The ballot shall contain the following warning:*

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42  
 43  
 44        Any person who, by use of force or other means, unduly influences an elector to vote in any  
 45 particular manner or to refrain from voting is subject to a fine.

1  
2  
3 [(6)(a)] **(2)(a)** Upon receipt of *[any ballot described in this section]* **the ballot**, the elector shall  
4 mark the ballot, sign the return identification envelope supplied with the ballot and comply with the  
5 instructions provided with the ballot.

6 (b) The elector may return the marked ballot to the county clerk by United States mail or by  
7 depositing the ballot at the office of the county clerk~~], at any place of deposit designated by the~~  
8 ~~county clerk or at any location described in ORS 254.472 or 254.474].~~

9 (c) The ballot must be returned in the return identification envelope.

10 (d) Subject to paragraph (e) of this subsection, if a person returns a ballot for an elector, the  
11 person shall deposit the ballot in a manner described in paragraph (b) of this subsection not later  
12 than two days after receiving the ballot.

13 (e) ~~[If the elector deposits the ballot at the office of the county clerk, at any place of deposit des-~~  
14 ~~ignated by the county clerk or at any location described in ORS 254.472 or 254.474, the]~~ **The** ballot  
15 must be received at the office of the county clerk~~], at the designated place of deposit or at any lo-~~  
16 ~~cation described in ORS 254.472 or 254.474]~~ not later than ~~[the end of the period determined under~~  
17 ~~subsection (1) of this section]~~ **8 p.m.** on the date of the election. ~~[If the elector returns the ballot by~~  
18 ~~mail:]~~

19 [(A) *The ballot must be received at the office of the county clerk not later than the end of the period*  
20 *determined under subsection (1) of this section on the date of the election; or]*

21 [(B) *The ballot must:]*

22 [(i) *Have a postal indicator showing that the ballot was mailed not later than the date of the*  
23 *election; and]*

24 [(ii) *Be received at the office of the county clerk not later than seven calendar days after the date*  
25 *of the election.]*

26 [(f) *If a county clerk receives a marked ballot for an elector who does not reside in the clerk's*  
27 *county, the ballot shall be forwarded to the county clerk of the county in which the elector resides not*  
28 *later than the eighth day after the election.]*

29 [(7) *The following shall appear on the return identification envelope:]*

30 [(a) *Space for the elector to sign the envelope.]*

31 [(b) *A notice designed by rule by the Secretary of State, in consultation with the county clerks,*  
32 *explaining that by signing the ballot the elector is attesting under penalty of perjury that the ballot*  
33 *was mailed no later than the date of the election.]*

34 [(c) *A summary of the applicable penalties for knowingly making a false statement, oath or affidavit*  
35 *under the election laws.]*

36 [(8) *If the elector returns the ballot by mail, and a postal indicator is not present or legible, the*  
37 *ballot shall be considered to be mailed on the date of the election and may be counted if the ballot is*  
38 *received no later than seven calendar days after the election.]*

39 [(9)] **(3)** An elector may obtain a replacement ballot if the ballot is destroyed, spoiled, lost or  
40 not received by the elector. Replacement ballots shall be issued and processed as described in this  
41 section and ORS 254.480. The county clerk shall keep a record of each replacement ballot provided  
42 under this subsection. ~~[Notwithstanding any deadline for mailing ballots in subsection (2) of this~~  
43 ~~section, a]~~ **A** replacement ballot may be mailed, made available in the office of the county clerk or  
44 made available at one central location in the electoral district in which the election is conducted.  
45 The county clerk shall designate the central location. A replacement ballot need not be mailed after

1 the fifth day before the date of the election.

2 [(10)] (4) [A] **The** ballot shall be counted only if:

3 (a) It is returned in the return identification envelope;

4 (b) The envelope is signed by the elector to whom the ballot is issued, unless a certified state-  
5 ment is submitted under ORS 254.431; and

6 (c) The signature is verified as provided in subsection [(11)] (5) of this section.

7 [(11)] (5) The county clerk shall verify the signature of *[each]* **the** elector on the return iden-  
8 tification envelope with the signature on the elector’s registration record, according to the proce-  
9 dure provided by rules adopted by the Secretary of State. Rules adopted by the secretary under this  
10 subsection must limit personnel authorized to verify signatures to the personnel authorized to count  
11 ballots under ORS 254.476. If the county clerk determines that an elector to whom a replacement  
12 ballot has been issued has voted more than once, the county clerk shall count only one ballot cast  
13 by that elector.

14 [(12) *At 8 p.m. on election day, electors who are at the county clerk’s office, a place of deposit*  
15 *designated under subsection (1) of this section or any location described in ORS 254.472 or 254.474 and*  
16 *who are in line waiting to vote or deposit a voted ballot shall be considered to have begun the act of*  
17 *voting.*]

18 [(13)(a)(A)] (6)(a)(A) Except as provided in subparagraph (B) of this paragraph, the name of the  
19 Secretary of State may not appear in the secretary’s official capacity on the return identification  
20 envelope or on any instructions or materials included with the ballot if the secretary is a candidate  
21 in the election for which the ballot is printed.

22 (B) This paragraph does not prohibit the name of the Secretary of State from appearing in the  
23 secretary’s official capacity in the voters’ pamphlet.

24 (b) The name of the county clerk or other filing officer may not appear in the official capacity  
25 of the county clerk or filing officer on the return identification envelope or on any instructions or  
26 materials included with the ballot if the county clerk or filing officer is a candidate in the election  
27 for which the ballot is printed.

28 (c) As used in this subsection, “filing officer” has the meaning given that term in ORS 254.165.

29 [(14) *As used in this section, “postal indicator” means a postmark or other indicator on a mailed*  
30 *ballot, identified by the Secretary of State by rule, that demonstrates the date or time at which a ballot*  
31 *was mailed.*]

32  
33 **BALLOTS MUST BE RECEIVED BY DATE OF ELECTION**

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35 **SECTION 10.** ORS 253.065 is amended to read:

36 253.065. (1) For electors with mailing addresses outside this state, the county clerk shall deliver  
37 a ballot:

38 (a) Not later than the 45th day before the election to each military or overseas elector; and

39 (b) Not sooner than the 29th day before the election to each absent elector [*with a mailing ad-*  
40 *dress outside this state who is not a military or overseas elector*].

41 (2) The clerk shall deliver with the ballot instructions for marking and returning the ballot, a  
42 return identification envelope and, if used, a secrecy envelope. [*Except as provided in subsection (3)*  
43 *of this section, the return identification envelope must contain.*] **The back of the envelope must in-**  
44 **clude a statement to be signed by the absent elector, stating that the elector:**

45 (a) **Is qualified to vote;**

1 **(b) Unless prevented by physical disability, has personally marked the ballot; and**

2 **(c) Has not unnecessarily exhibited the marked ballot to any other person.**

3 *[(a) Space for the elector to sign the envelope.]*

4 *[(b) A notice designed by rule by the Secretary of State, in consultation with the county clerks,*  
5 *explaining that by signing the ballot the elector is attesting under penalty of perjury that the ballot*  
6 *was mailed no later than the date of the election.]*

7 *[(c) A summary of the applicable penalties for knowingly making a false statement, oath or affidavit*  
8 *under the election laws.]*

9 *[(3) For a military or overseas elector as defined in ORS 253.501, the return identification envelope*  
10 *provided under subsection (2) of this section must contain:]*

11 *[(a) Any information that a military or overseas elector is required to sign under the federal Help*  
12 *America Vote Act of 2002 (P.L. 107-252) or other federal law;]*

13 *[(b) Space for the elector to sign; and]*

14 *[(c) To the extent not required under paragraph (a) of this subsection, a notice designed by rule*  
15 *by the Secretary of State that ensures that any military or overseas elector who returns a ballot by*  
16 *mail makes a legally binding assertion that the ballot was mailed no later than the date of the*  
17 *election.]*

18 *[(4)]* **(3)** An absent elector may obtain a replacement ballot if the ballot delivered under this  
19 section is destroyed, spoiled, lost or not received by the elector. The county clerk shall keep a re-  
20 cord of each replacement ballot provided under this subsection.

21 *[(5)]* **(4)** A replacement ballot provided under subsection *[(4)]* **(3)** of this section may be mailed  
22 or shall be made available in the office of the county clerk.

23 *[(6)]* **(5)** If the county clerk determines that an absent elector to whom a replacement ballot has  
24 been issued at the request of the elector has voted more than once, the county clerk shall count only  
25 the first ballot received by the clerk and provide the elector's name to the Secretary of State for  
26 further review. If the county clerk is required to reissue ballots due to a change on the ballot for  
27 any reason, that ballot shall be counted in lieu of any previous ballot issued unless:

28 (a) Only the original ballot was voted and returned; or

29 (b) The county clerk issued a supplemental ballot that is not a complete replacement of the or-  
30 iginal ballot.

31 **SECTION 11.** ORS 253.070 is amended to read:

32 253.070. *[(1) Upon receipt of a ballot the absent elector shall mark it and comply with the in-*  
33 *structions provided with the ballot. The absent elector may return the marked ballot to the office of the*  
34 *clerk, by any appropriate means.]*

35 *[(2) If the absent elector returns the marked ballot by any means other than by mail, the ballot*  
36 *must be received by a county clerk not later than 8 p.m. of the day of the election.]*

37 *[(3) If the absent elector returns the marked ballot by mail:]*

38 *[(a) The ballot must be received by a county clerk not later than 8 p.m. on the day of the election;*  
39 *or]*

40 *[(b) The ballot must:]*

41 *[(A) Have a postal indicator showing that the ballot was mailed not later than the date of the*  
42 *election; and]*

43 *[(B) Be received at the office of the county clerk not later than seven calendar days after the date*  
44 *of the election.]*

45 *[(4) If the elector returns the ballot by mail, and a postal indicator is not present or legible, the*



1 *ballot shall be considered to be mailed on the date of the election and may be counted if the ballot is*  
2 *received no later than seven calendar days after the election.]*

3 *[(5) If a county clerk receives a marked ballot for an elector who does not reside in the clerk's*  
4 *county, the ballot shall be forwarded to the county clerk of the county in which the elector resides not*  
5 *later than the eighth day after the election.]*

6 *[(6) As used in this section, "postal indicator" has the meaning given that term in ORS 254.470.]*  
7 **A ballot from an absent elector must be received by a county clerk not later than 8 p.m.**  
8 **on the date of the election.**

9 **SECTION 12.** ORS 254.485, as amended by section 3, chapter 56, Oregon Laws 2024, is amended  
10 to read:

11 254.485. (1) Ballots may be tallied by a vote tally system or by a counting board. A counting  
12 board may tally ballots at the precinct or in the office of the county clerk. In any event, the ballots  
13 shall be tallied and returned by precinct.

14 (2) If a counting board has been appointed, the tally of ballots may begin on the date of the  
15 election.

16 (3)(a) If ballots are tallied by a counting board, after the tally has begun it shall continue until  
17 completed. Except as provided in paragraph (b) of this subsection, a counting board shall tally  
18 without adjournment and in the presence of the clerks and persons authorized to attend.

19 (b) A counting board may be relieved by another board if the tally is not completed after 12  
20 hours.

21 (4) A counting board shall audibly announce the tally as it proceeds. The board shall use only  
22 pen and ink to tally.

23 (5) For ballots cast using a voting machine, the county clerk shall:

24 (a) Enter the ballots cast using the machine into the vote tally system; and

25 (b) In the event of a recount, provide the paper record copy recorded by the machine to the  
26 counting board.

27 (6) A person other than the county clerk, a member of a counting board or any other elections  
28 official designated by the county clerk may not tally ballots under this chapter.

29 *[(7) The Secretary of State shall by rule establish a procedure for announcing the status of the tally*  
30 *of the ballots received after the date of the election. Rules adopted under this subsection must:]*

31 *[(a) Consider the number of ballots being released in relation to the size of the district;]*

32 *[(b) Prioritize voter anonymity; and]*

33 *[(c) After prioritizing voter anonymity under paragraph (b) of this subsection, prioritize the im-*  
34 *portance of timely reporting election results.]*

35 **SECTION 13.** ORS 254.485, as amended by section 11, chapter 220, Oregon Laws 2023, and  
36 section 4, chapter 56, Oregon Laws 2024, is amended to read:

37 254.485. (1) Ballots may be tallied by a vote tally system, by a counting board or in the manner  
38 determined by the Secretary of State under ORS 246.200. A counting board may tally ballots at the  
39 precinct or in the office of the county clerk. Except as otherwise determined by the secretary under  
40 ORS 246.200, the ballots shall be tallied and returned by precinct.

41 (2) If a counting board has been appointed, the tally of ballots may begin on the date of the  
42 election.

43 (3)(a) If ballots are tallied by a counting board, after the tally has begun it shall continue until  
44 completed. Except as provided in paragraph (b) of this subsection, a counting board shall tally  
45 without adjournment and in the presence of the clerks and persons authorized to attend.

1 (b) A counting board may be relieved by another board if the tally is not completed after 12  
2 hours.

3 (4) A counting board shall audibly announce the tally as it proceeds. The board shall use only  
4 pen and ink to tally.

5 (5) For ballots cast using a voting machine, the county clerk shall:

6 (a) Enter the ballots cast using the machine into the vote tally system; and

7 (b) In the event of a recount, provide the paper record copy recorded by the machine to the  
8 counting board.

9 (6) A person other than the Secretary of State, county clerk, a member of a counting board or  
10 any other elections official designated by the secretary or county clerk may not tally ballots under  
11 this chapter.

12 *[(7) The Secretary of State shall by rule establish a procedure for announcing the status of the tally  
13 of the ballots received after the date of the election. Rules adopted under this subsection must:]*

14 *[(a) Consider the number of ballots being released in relation to the size of the district;]*

15 *[(b) Prioritize voter anonymity; and]*

16 *[(c) After prioritizing voter anonymity under paragraph (b) of this subsection, prioritize the im-  
17 portance of timely reporting election results.]*

18 **SECTION 14.** ORS 253.690 is amended to read:

19 253.690. (1) A military or overseas elector described in ORS 253.510 may cast a ballot using a  
20 facsimile machine or by electronic mail as provided in this section. Notwithstanding ORS 254.470  
21 ~~[(10)]~~ (4), a ballot cast under this section shall be counted only if the ballot:

22 (a) Is received in the office of the county clerk not later than 8 p.m. on the day of the election;

23 (b) Is accompanied by a return identification envelope containing the signature of the elector  
24 and a signed waiver described in subsection (2) of this section; and

25 (c) The signature is verified as provided in subsection (4) of this section.

26 (2) Each elector who casts a ballot under this section shall complete and submit a waiver de-  
27 scribed in this subsection. The elector shall attest to the information supplied on the waiver by  
28 signing the completed waiver. The Secretary of State by rule shall design the form of the waiver,  
29 which shall include all of the following:

30 (a) Space for the elector to provide the elector’s full name, residence or mailing address, an  
31 electronic mail address, phone or facsimile number where the elector may be contacted and any  
32 other necessary information.

33 (b) A waiver in substantially the following form:

34 \_\_\_\_\_  
35  
36 I, \_\_\_\_\_, acknowledge that by casting my voted ballot using a facsimile machine or by  
37 electronic mail I have waived my right to a secret ballot.  
38 \_\_\_\_\_

39  
40 (c) A statement to notify the elector that the elector’s ballot will not be counted unless the  
41 elector has complied with the provisions of this section.

42 (d) Space for the elector to provide the elector’s signature to attest to the information supplied.

43 (3)(a) If a ballot is cast under this section using a facsimile machine, the return identification  
44 envelope and waiver shall also be submitted using a facsimile machine.

45 (b) If a ballot is cast under this section by electronic mail, the return identification envelope

1 and waiver shall also be submitted by electronic mail.

2 (4) The county clerk shall verify the signature of each elector on the return identification en-  
 3 velope transmitted by facsimile machine or electronic mail under this section with the signature on  
 4 the elector’s registration record, according to the procedure provided by rules adopted by the Sec-  
 5 retary of State. Rules adopted by the secretary under this subsection must limit personnel author-  
 6 ized to verify signatures to the personnel authorized to count ballots under ORS 254.476.

7 (5) The Secretary of State shall adopt rules to administer this section and to ensure the secrecy  
 8 of ballots cast using a facsimile machine or by electronic mail to the greatest extent possible.

9 **SECTION 15.** ORS 260.695 is amended to read:

10 260.695. (1)(a) If a person prints or circulates an imitation of the ballot or sample ballot:

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

17 (B) The word “UNOFFICIAL” must be superimposed on the imitation ballot or sample ballot so  
 18 that the word extends diagonally across the ballot from one margin of the text to the other. The  
 19 superimposed word may be printed in lighter ink than other text on the ballot or sample ballot.

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

22 (2)(a) As used in this subsection, “imitation voters’ pamphlet” means a document that imitates  
 23 the physical characteristics or appearance of a voters’ pamphlet or a portion of a voters’ pamphlet  
 24 published by the Secretary of State or county clerk, as defined in ORS 251.005, under ORS chapter  
 25 251 and likely misleads or confuses a reasonable person as to whether the document is an official  
 26 voters’ pamphlet or a portion of an official voters’ pamphlet in the absence of the required state-  
 27 ment.

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

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

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

36 (B) The word “UNOFFICIAL” must be superimposed on each page of the imitation voters’  
 37 pamphlet so that the word extends diagonally across the imitation voters’ pamphlet from one margin  
 38 of text to the other. The superimposed word may be printed or displayed in lighter ink than other  
 39 text on the imitation voters’ pamphlet.

40 (3) A person may not do any electioneering, including circulating any cards or handbills, or so-  
 41 liciting of signatures to any petition, within any building in which any state or local government  
 42 elections office [*designated for the deposit of ballots under ORS 254.470*] **maintained as a voting**  
 43 **booth under ORS 254.474** is located, or within 100 feet measured radially from any entrance to the  
 44 building. A person may not do any electioneering by public address system located more than 100  
 45 feet from an entrance to the building if the person is capable of being understood within 100 feet

1 of the building. The electioneering need not relate to the election being conducted. This subsection  
 2 applies during the business hours of the building or, if the building is a county elections office,  
 3 during the hours the office is open to the public, [*during the period beginning on the date that ballots*  
 4 *are mailed to electors as provided in ORS 254.470 and ending on election day at*] **on election day**  
 5 **until** 8 p.m. or when all persons waiting in line at the building who began the act of voting as de-  
 6 scribed in [*ORS 254.470 (12)*] **ORS 254.474 (3)** by 8 p.m. have finished voting.

7 (4) A person may not obstruct an entrance of a building in which ballots are issued [*or a place*  
 8 *designated for the deposit of ballots under ORS 254.470*] or any voting booth maintained under ORS  
 9 254.474 is located. This subsection applies [*during the period beginning on the date that ballots are*  
 10 *mailed to electors as provided in ORS 254.470 and ending*] on election day [*at*] **until** 8 p.m. or when  
 11 all persons waiting in line at the building or location who began the act of voting as described in  
 12 [*ORS 254.470 (12)*] **ORS 254.474 (3)** by 8 p.m. have finished voting.

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

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

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

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

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

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

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

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

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

35 (14) A person, except an elections official in performance of duties, may not provide elections  
 36 advice or attempt to collect voted ballots within any building in which [*any state or local government*  
 37 *elections office designated for the deposit of ballots under ORS 254.470*] **a voting booth maintained**  
 38 **under ORS 254.474** is located, or within 100 feet measured radially from any entrance to the  
 39 building.

40 (15) A person, except an elections official in performance of duties, may not establish a location  
 41 to collect ballots voted by electors unless:

42 (a) The person prominently displays at the location a sign stating: "NOT AN OFFICIAL BAL-  
 43 LOT DROP SITE"; and

44 (b) The sign is printed in all capital letters in bold 50-point type.

45 **SECTION 16.** ORS 254.408 is amended to read:

1 254.408. (1) A person offering to vote and who claims to be an elector, but for whom no evidence  
 2 of active or inactive registration can be found, shall be granted the right to vote in the manner  
 3 provided in this section.

4 (2) Whenever an elector updates a registration at a county clerk’s office after the [*ballots have*  
 5 *been mailed under ORS 254.470*] **registration deadline set forth in ORS 247.025**, the elector shall  
 6 vote in that election in the manner provided in this section.

7 (3) An elector voting under this section shall complete and sign a registration card.

8 [(4)(a)(A)] **(4)(a)** [*Except as provided in subparagraph (B) of this paragraph, the*] **The** elector shall  
 9 insert the ballot into a small envelope provided by the county clerk and then insert the small en-  
 10 velope into a larger envelope. The larger envelope shall be delivered to the county clerk and shall  
 11 be segregated and not counted until the registration of the elector is verified under this section.

12 [(B) *The county clerk shall inform the elector of any alterations to the process described in sub-*  
 13 *paragraph (A) of this paragraph that are necessary if the Secretary of State has approved a procedure*  
 14 *under ORS 254.458 to be used in lieu of the envelope procedures.*]

15 (b) An envelope provided under this subsection must comply with the prohibitions set forth in  
 16 ORS 254.470 [(13)] **(6)**.

17 (5) The county clerk shall determine if the elector is validly registered to vote and if the vote  
 18 was properly cast. The ballot shall be counted only if the county clerk determines the registration  
 19 of the elector is considered active or inactive.

20 (6) A vote shall be counted only if the elector is qualified to vote for the particular office or  
 21 on the measure.

22 **SECTION 17.** ORS 253.585 is amended to read:

23 253.585. (1) The Secretary of State may receive ballots from military or overseas electors.

24 (2) If the Secretary of State receives a ballot cast by a military or overseas elector, the Secre-  
 25 tary of State shall deliver the ballot to the county clerk or elections officer of the county in which  
 26 the elector who cast the ballot is registered.

27 (3) A ballot received by the Secretary of State under this section **not later than 8 p.m. on the**  
 28 **date of the election** shall be considered to have been received by the county clerk as described in  
 29 ORS 253.070. [*if:*]

30 [(a) *The Secretary of State receives the ballot not later than 8 p.m. on the day of the election; or*]

31 [(b) *The ballot:*]

32 [(A) *Has a postal indicator showing that the ballot was mailed not later than the date of the*  
 33 *election; and*]

34 [(B) *Is received by the Secretary of State not later than seven calendar days after the date of the*  
 35 *election.*]

36 [(4) *If a military or overseas elector returns the ballot by mail, and a postal indicator is not present*  
 37 *or legible, the ballot shall be considered to be mailed on the date of the election and may be counted*  
 38 *if the ballot is received no later than seven calendar days after the election.*]

39 [(5) *As used in this section “postal indicator” has the meaning given that term in ORS 254.470.*]

40  
 41 **CONFORMING AMENDMENTS**

42  
 43 **SECTION 18.** ORS 247.307 is amended to read:

44 247.307. [(1) *Except as provided in subsection (2) of this section, if*] **If** the county clerk receives  
 45 information updating the registration of an elector after the deadline in ORS 247.025[.],

1        [(a)] the county clerk shall [*issue a ballot to the elector*] **allow the elector to cast an in-person**  
 2 **ballot on the date of the election** if the elector’s registration was inactive prior to updating.[:  
 3 or]

4        [(b) *The county clerk shall issue a replacement ballot upon request from the elector if the elector’s*  
 5 *registration was active prior to updating.*]

6        [(2) *If the county clerk receives a registration card updating an elector’s residence or mailing ad-*  
 7 *dress after the deadline in ORS 247.025, the county clerk shall reissue a ballot to the elector if the*  
 8 *elector’s registration was active prior to updating.*]

9        [(3)(a) *If the county clerk is required to reissue a ballot under subsection (2) of this section, the*  
 10 *county clerk shall:*]

11        [(A) *Verify the registration of the elector and ensure that another ballot has not been returned by*  
 12 *the elector;*]

13        [(B) *Mark the return identification envelope clearly so that it may be readily identified as a reis-*  
 14 *sued ballot; and*]

15        [(C) *Reissue the ballot by mail or other means.*]

16        [(b) *A ballot reissued under this section must be received at the office of the county clerk, a place*  
 17 *of deposit designated by the county clerk or any location described in ORS 254.472 or 254.474 not later*  
 18 *than the end of the period determined under ORS 254.470 (1) on the date of the election. Upon receiving*  
 19 *a voted ballot reissued under this section, the county clerk shall process the ballot.*]

20        [(4) *Ballots issued under this section need not be mailed to electors after the fifth day before the*  
 21 *date of the election and may be obtained by the elector in person from the county clerk up until and*  
 22 *including the date of the election.*]

23        **SECTION 19.** ORS 254.480 is amended to read:

24        254.480. (1) An elector **who has requested a ballot that may be returned by mail under ORS**  
 25 **254.465** may obtain a replacement ballot [*described in ORS 254.470*] **that may be returned by**  
 26 **mail.** To vote a replacement ballot, the elector must complete and sign a replacement ballot request  
 27 form. The request for a replacement ballot may be made electronically, by telephone, in writing, in  
 28 person or by other means designated by the Secretary of State by rule.

29        (2) The replacement ballot request form shall be mailed or made available to the elector along  
 30 with the replacement ballot.

31        (3) Upon receiving a request for a replacement ballot, the county clerk shall:

32        (a) Verify the registration of the elector and ensure that another ballot has not been returned  
 33 by the elector;

34        (b) Note in the list of electors that the elector has requested a replacement ballot;

35        (c) Mark the return identification envelope clearly so that it may be readily identified as a re-  
 36 placement ballot; and

37        (d) Issue the replacement ballot by mail or other means.

38        (4) The completed and signed replacement ballot request form and the voted replacement ballot  
 39 must be received at the office of the county clerk[, *a place of deposit designated by the county clerk*  
 40 *or any location described in ORS 254.472 or 254.474*] not later than [*the end of the period determined*  
 41 *under ORS 254.470 (1)*] **8 p.m.** on the date of the election.

42        (5) Upon receiving a voted replacement ballot, the county clerk shall verify that a completed  
 43 and signed replacement ballot request form has been received by the county clerk or is included  
 44 with the voted replacement ballot. If a request form has been completed and signed by the elector  
 45 and received by the county clerk, the county clerk shall process the ballot. If the request form is

1 not completed or signed by the elector or received by the county clerk, the county clerk may not  
 2 process the ballot.

3 **SECTION 20.** ORS 260.665 is amended to read:

4 260.665. (1) As used in this section, “undue influence” means force, violence, restraint or the  
 5 threat of it, inflicting injury, damage, harm, loss of employment or other loss or the threat of it, or  
 6 giving or promising to give money, employment or other thing of value.

7 (2) A person, acting either alone or with or through any other person, may not directly or in-  
 8 directly subject any person to undue influence with the intent to induce any person to:

9 (a) Register or vote;

10 (b) Refrain from registering or voting;

11 (c) Register or vote in any particular manner;

12 (d) Be or refrain from or cease being a candidate;

13 (e) Contribute or refrain from contributing to any candidate, political party or political com-  
 14 mittee;

15 (f) Render or refrain from rendering services to any candidate, political party or political com-  
 16 mittee;

17 (g) Challenge or refrain from challenging a person offering to vote;

18 (h) Apply or refrain from applying for a ballot as an absent elector; or

19 (i) Sign or refrain from signing a prospective petition or an initiative, referendum, recall or  
 20 candidate nominating petition.

21 (3) A person may not solicit or accept money or other thing of value as an inducement to act  
 22 as prohibited by subsection (2) of this section.

23 (4) This section does not prohibit:

24 (a) The employment of persons to render services to candidates, political parties or political  
 25 committees;

26 (b) The public distribution by candidates, political parties or political committees of sample  
 27 ballots or other items readily available to the public without charge, even though the distributor  
 28 incurs costs in the distribution;

29 (c) Public or nonpromissory statements by or on behalf of a candidate of the candidate’s in-  
 30 tentions or purposes if elected;

31 (d) A promise by a candidate to employ any person as administrative assistant, secretary or  
 32 other direct personal aide;

33 (e) Free custody and care of minor children of persons during the time those persons are absent  
 34 from those children for voting purposes;

35 (f) For persons voting, free transportation to and from [*places designated for the deposit of ballots*  
 36 *under ORS 254.470 or to and from*] locations described in ORS 254.472 or 254.474; but no means of  
 37 advertising, solicitation or inducement to influence the vote of persons transported may be used with  
 38 that transportation;

39 (g) Individuals or political committees from providing refreshments incidental to a gathering in  
 40 support of or in opposition to a candidate, political committee or measure; **or**

41 (h) The public distribution of registration cards by a person approved by the Secretary of State  
 42 under ORS 247.171 to print, copy or otherwise prepare and distribute registration cards, even though  
 43 the distributor incurs costs in the distribution.[: or]

44 [*i*] An elections official from providing return identification envelopes for ballots that may be re-  
 45 turned by mail at no cost to the elector under ORS 254.473.]

**SECTION 21.** ORS 192.842 is amended to read:

192.842. (1) A county clerk or other elections official shall use the actual address of a program participant for voter registration purposes. Except as provided in ORS 192.820 to 192.868, a county clerk or other elections official may not disclose the actual address.

(2) A county clerk or other elections official shall use the substitute address of the program participant for purposes of mailing a ballot to an elector **who requests a ballot that can be returned by mail** under [ORS 254.470] **ORS 254.465**.

(3) A school district shall use the actual address of a program participant for any purpose related to admission or assignment. The school district shall take such measures as necessary to protect the confidentiality of the actual address of the program participant. Student records created under ORS 326.565 and 326.580 shall use the substitute address of the program participant.

(4) A county clerk shall accept the substitute address of the program participant as the address of the applicant for the purpose of issuing a marriage license under ORS 106.041 or registering a Declaration of Domestic Partnership under ORS 106.325.

**SECTION 22.** ORS 251.175 is amended to read:

251.175. (1) Except as provided in subsection (2) of this section, not later than the 20th day before a primary election, general election or special election for which a voters' pamphlet has been prepared, the Secretary of State shall cause the voters' pamphlet to be mailed to each post-office mailing address in Oregon, and shall use any additional means of distribution necessary to make the pamphlet available to electors.

(2) For any special election described in ORS 251.022 that is not held statewide, or for any other state special election that is not held statewide, the Secretary of State by rule may prescribe methods for distributing the voters' pamphlet prepared for the election. The rule shall require the secretary to mail the pamphlet to at least each elector whose registration is determined to be active on the 21st day before the date of the election and who is eligible to vote in the election. The rule may specify other methods of distribution. [*Voters' pamphlets prepared for the election shall be mailed not later than the date ballots are mailed to electors as provided in ORS 254.470.*]

**SECTION 23.** ORS 251.315, as amended by section 5, chapter 55, Oregon Laws 2024, and section 2, chapter 56, Oregon Laws 2024, is amended to read:

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

- (a) Requirements for a citizen to qualify as an elector.
- (b) Requirements for registration and updates of registration.
- (c) Elector instructions, including the right of an elector to request a second ballot if the first ballot is spoiled and the right of an elector to seek assistance in marking the ballot.
- (d) The hours and locations of [*places designated under ORS 254.470 for deposit of official ballots*] **voting booths maintained under ORS 254.474**.
- (e) Any portraits and statements relating to candidates submitted in accordance with the provisions of ORS 251.305 to 251.435.

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

(g)(A) Statements in the information section of the voters' pamphlet on the pages immediately following the page containing the letter of the county clerk, filing office or other public election official, to the extent reasonably practicable, that:

- (i) Are written in English and the 10 additional common languages for the county listed by the



1 Secretary of State under ORS 251.167;

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

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

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

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

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

10 (2) The county clerk shall mail or otherwise distribute the county voters’ pamphlet not later  
11 than *[the last day for mailing ballots to electors as provided in ORS 254.470]* **14 days before the date**  
12 **of the election.**

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

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

17 **SECTION 24.** ORS 253.005 is amended to read:

18 253.005. As used in this chapter:

19 (1) **“Absent elector” means a person:**

20 (a) **To whom the county clerk has issued a ballot prior to 20 days before the date of the**  
21 **election;**

22 (b) **Who has a mailing address outside of this state; and**

23 (c) **Who is not a military or overseas elector.**

24 [(1)] (2) “Clerk” means the county clerk.

25 [(2)] (3) “County clerk” means the county clerk or the county official in charge of elections.

26 [(3)] (4) “Elector” means an individual qualified to vote under **Article II**, section 2, [*Article*  
27 *II,*] Oregon Constitution.

28 [(4) “Absent elector” means a person to whom the county clerk has issued a ballot prior to the date  
29 that ballots are mailed to electors as provided in ORS 254.470 (2)(a) or (b).]

30 **SECTION 25.** ORS 254.365 is amended to read:

31 254.365. (1) An elector is not qualified or permitted to vote at any primary election for any  
32 candidate of a major political party, and it is unlawful for the elector to offer to do so, unless:

33 (a) The elector is registered as being affiliated with one of the major political parties nominating  
34 or electing its candidates for public office at the primary election; or

35 (b) The elector is registered as not being affiliated with any political party and wishes to vote  
36 in the primary election of a major political party that has provided under subsection (3) of this  
37 section for a primary election that admits electors not affiliated with any political party.

38 (2) Except as provided in [*ORS 254.470 (3)*] **section 8 of this 2025 Act**, any elector offering to  
39 vote at the primary election shall be given a ballot of the major political party with which the  
40 elector is registered as being affiliated. The elector may not be given a ballot of any other political  
41 party at that primary election. An elector not affiliated with any political party and offering to vote  
42 at the primary election shall be given the ballot of the major political party in whose primary  
43 election the elector wishes to vote if that party has provided under subsection (3) of this section for  
44 a primary election that admits electors not affiliated with any political party. An elector not affil-  
45 iated with any political party who is given a ballot of the major political party associates with the

1 party for the purpose of voting in that primary election.

2 (3)(a) Not later than the 90th day before the date of the primary election, a major political party  
3 may file with the Secretary of State a certified copy of the current party rule allowing an elector  
4 not affiliated with any political party to vote in the party's primary election. The party may not  
5 repeal the rule as filed during the 90 days before the primary election. The rule shall continue to  
6 be effective after the date of the primary election until the party gives written notice to the Secre-  
7 tary of State that the rule has been repealed. Except as provided in paragraph (b) of this subsection,  
8 a party rule under this subsection may limit the candidates for whom an elector who is not affiliated  
9 with any political party may vote.

10 (b) The party rule shall allow any elector who is permitted to vote for the most numerous  
11 branch of the Legislative Assembly also to vote in federal legislative elections, consistent with sec-  
12 tion 2, Article I, and the Seventeenth Amendment to the United States Constitution.

13 (4) If the primary election ballot includes city, county or nonpartisan offices or measures, and  
14 it is given to an elector who is not eligible to vote for party candidates, the ballot shall be marked  
15 "non-affiliated."

16 **SECTION 26.** ORS 254.482 is amended to read:

17 254.482. *[After the date that ballots are mailed as provided in ORS 254.470]* **Beginning 14 days**  
18 **before the date of an election**, the county clerk, if requested, shall permit authorized persons to  
19 be at the office of the county clerk to watch the receiving and counting of votes. The authorization  
20 shall be in writing, shall be signed by an officer or its county affiliate of a political party, a candi-  
21 date or the county clerk and shall be filed with the county clerk. The county clerk shall permit only  
22 so many persons as watchers under this section as will not interfere with an orderly procedure at  
23 the office of the county clerk.

24 **SECTION 27.** ORS 350.245 is amended to read:

25 350.245. (1) As used in this section, "school of higher education" means:

26 (a) A public university listed in ORS 352.002.

27 (b) A community college, as defined in ORS 341.005.

28 (2)(a) The Secretary of State shall ensure that within four miles of the main campus of each  
29 school of higher education there is at least one location *[designated as an official ballot drop site*  
30 *under ORS 254.470]* **maintained as a voting booth under ORS 254.474.**

31 (b) The requirement set forth in paragraph (a) of this subsection applies only to elections held  
32 within the electoral district in which the main campus of a school of higher education is located.

33 (3) Each school of higher education shall:

34 (a) Display a direct link to the Secretary of State's online voter registration tool on the school's  
35 Internet website or on any appropriate student-focused digital communication network managed by  
36 the school.

37 (b) Upon the request of the school's official student government or its equivalent, give the stu-  
38 dent government or its equivalent an opportunity to provide nonpartisan voter registration services:

39 (A) As part of student orientation programs held by the school's administration;

40 (B) As part of campus welcome events that occur before classes begin each academic term; and

41 (C) As part of residence life program activities.

42 (c) Upon the request of the school's official student government or its equivalent, provide the  
43 student government or its equivalent with an official class schedule and a list of professional contact  
44 information for school faculty, which may be used for the purpose of seeking faculty approval for  
45 the student government or its equivalent to provide nonpartisan voter registration classroom pres-

1 entations.

2 (d) Provide individual students and student groups the opportunity to provide nonpartisan voter  
 3 registration services throughout the academic term in any nonreserved public space on the school's  
 4 property, provided that the nonpartisan voter registration services conform to the rules of conduct  
 5 and rules for reserving space at the school. This paragraph applies only to students enrolled at the  
 6 school and does not alter in any way the rights of a person who is not enrolled as a student at the  
 7 school.

8 (e) If the school owns and operates any student housing, at least three months prior to each  
 9 primary or general election:

10 (A) Obtain from the local county elections office what address information students living in  
 11 on-campus housing must provide in order to receive election ballots in the event a student chooses  
 12 to vote using the student's campus address; and

13 (B) Make the information obtained under subparagraph (A) of this paragraph available to the  
 14 school's official student government or its equivalent.

15 **SECTION 28.** ORS 247.948 is amended to read:

16 247.948. (1)(a) Except as set forth in ORS 247.965 or 247.967, or as otherwise prohibited by law,  
 17 the following information about an elector contained within an elector's registration file is subject  
 18 to inspection as a public record under ORS 192.311 to 192.478 and shall be included in lists delivered  
 19 under ORS 247.940 and 247.945:

20 (A) The major political party or minor political party, if any, with which an elector is affiliated;

21 (B) Except as provided in subsection (3) of this section, the residence address of an elector;

22 (C) Except as provided in subsection (3) of this section, the address where an elector receives  
 23 a ballot;

24 (D) The year in which an elector was born;

25 (E) The name or number of the precinct in which the elector resides;

26 (F) The precinct split of an elector;

27 (G) The administrative number for an elector that is used by the Secretary of State to determine  
 28 which elections an elector may vote in;

29 (H) The telephone number of an elector;

30 (I) Whether or not an elector voted in previous elections; and

31 (J) During an election period, the ballot status of an elector. In order to comply with this sub-  
 32 paragraph, during the election period, the secretary shall maintain a list of the ballot status of  
 33 electors. The secretary shall update the list, and make available an updated version of the list, on  
 34 each business day of the election period.

35 (b) As used in this subsection:

36 (A) "Ballot status" means whether or not an elector has cast a ballot in the election;

37 (B) "Election period" means the period of time beginning [*on the date that ballots for an election*  
 38 *are first mailed to electors*] **21 days before the date of the election** and ending on the date of the  
 39 election; and

40 (C) "Precinct split" means the enhanced precinct name or number used to determine the specific  
 41 ballot configuration that will be received by an elector who resides in a precinct that:

42 (i) Has more than one election district subdivision; and

43 (ii) Requires more than one ballot configuration for electors in the precinct.

44 (2) Except as set forth in ORS 247.973 or as otherwise required by law, the following information  
 45 about an elector contained within an elector's registration file is not subject to inspection as a

1 public record under ORS 192.311 to 192.478 and may not be disclosed by the Secretary of State or  
 2 a county clerk:

3 (a) Information that is required to be kept confidential under ORS 247.965 or as part of the  
 4 Address Confidentiality Program under ORS 192.820 to 192.868;

5 (b) The birth month of an elector;

6 (c) The day of the month on which an elector was born;

7 (d) The Social Security number of an elector;

8 (e) The driver license number of an elector; and

9 (f) The signature of an elector.

10 (3) The residence address of an elector may not be included in lists delivered under ORS 247.940  
 11 and 247.945 if the elector:

12 (a) Is either a candidate for elected office or a holder of elected office; and

13 (b) Has chosen to limit the public accessibility of the elector's residence address in the manner  
 14 described in ORS 249.021.

15 (4) Nothing in this section is intended to limit or restrict the disclosure of information that is  
 16 otherwise subject to inspection as a public record under ORS 192.311 to 192.478.

17 **SECTION 29.** ORS 247.965 is amended to read:

18 247.965. (1) Any elector may request the county clerk to keep the residence address of the  
 19 elector and any family member residing with the elector exempt from disclosure as a public record  
 20 under ORS 192.311 to 192.478.

21 (2) The county clerk shall keep the residence address of an elector and any family member re-  
 22 siding with the elector exempt from disclosure as a public record under ORS 192.311 to 192.478 if:

23 (a) The elector making the request demonstrates to the satisfaction of the county clerk that the  
 24 elector's personal safety or the safety of any family member residing with the elector is in danger  
 25 if the elector's address remains available for public inspection; or

26 (b) The elector has been identified as an election worker by the Secretary of State, county clerk  
 27 or other public body as defined in ORS 174.109 in a manner prescribed by the secretary by rule.

28 *[(3) The county clerk shall automatically mail a ballot to an elector whose residence address is*  
 29 *exempt from disclosure under this section.]*

30 *[(4)]* (3) An exemption from disclosure granted under this section shall remain in effect until the  
 31 elector requests termination of the exemption or the elector is required to update the elector's  
 32 registration. If the elector is required to update the elector's registration, the elector may apply for  
 33 another exemption from disclosure.

34 *[(5)]* (4) An exemption from disclosure granted under this section includes an exemption from  
 35 disclosure of the residence address of an elector under ORS 247.940 or 247.945.

36 *[(6)]* (5) A county clerk or the Secretary of State shall not be held liable for:

37 (a) Granting or denying an exemption from disclosure under this section; or

38 (b) Any unauthorized release of a residence address granted an exemption from disclosure under  
 39 this section.

40 *[(7)]* (6) As used in this section, "election worker" means an individual employed full-time,  
 41 part-time or as a volunteer:

42 (a) Who is serving the State of Oregon or any other public body, as defined in ORS 174.109, as  
 43 an elected official, appointed official, employee or agent; and

44 (b) Whose official duties include carrying out any duty, function or power set forth in ORS  
 45 chapters 246 to 260.

**SECTION 30.** ORS 254.321 is amended to read:

254.321. At any election in which the question of establishing or changing the exterior boundaries of a county or city is submitted to a vote, the county clerk shall[:]

[(1) *Include with every mailed ballot a map indicating the proposed boundaries; or*]

[(2)] print in a voters' pamphlet prepared for the election a map indicating the proposed boundaries.

**SECTION 31.** ORS 247.018 is amended to read:

247.018. (1)(a) Subject to compliance with all applicable federal laws and regulations, the Secretary of State shall by rule establish a schedule by which the Oregon Health Authority shall provide to the secretary electronic records, derived from information provided to the Oregon Health Plan, containing the legal name, age, residence and citizenship information for, and, if any, the electronic signature of, each person who is eligible to be a qualified elector under Article II, section 2, of the Oregon Constitution.

(b) The secretary shall establish by rule, after consultation with the authority, what electronic records establish whether a person is eligible to be a qualified elector for purposes of this subsection.

(c) Notwithstanding paragraph (a) of this subsection, the authority may not provide to the secretary any electronic records for a person who is not a citizen of the United States.

(2) When establishing a schedule under subsection (1) of this section, the secretary may adopt rules governing the format and frequency of data transfer. Any rules adopted under this subsection:

(a) Are subject to input and public comment, including comment from the authority; and

(b) May come into effect only after the secretary and authority test and verify the data transfer processes.

(3) The secretary:

(a) Shall by rule develop a process to obtain an electronic signature from the Department of Transportation for each person described in subsection (1) of this section for whom the authority does not provide an electronic signature under this section; and

(b) May use an electronic signature that is obtained under paragraph (a) of this subsection or that is otherwise in the secretary's possession, for the purpose of registering electors to vote under this section.

(4) Upon receiving the electronic record for a person described in subsection (1) of this section, the secretary shall provide the information to the county clerk of the county in which the person may be registered as an elector. The secretary or county clerk shall notify each person of the process to:

(a) Decline being registered as an elector;

(b) Adopt a political party affiliation; and

(c) Provide a signature if no signature was provided under subsection (1) of this section and the secretary does not have a copy of the signature and is unable to obtain an electronic copy of the signature from the Department of Transportation under subsection (3) of this section.

(5) Notwithstanding the absence of any signature, if a person notified under subsection (4) of this section does not decline to be registered as an elector within 21 calendar days after the secretary or county clerk issues the notification, the person's electronic record submitted to the county clerk under subsection (4) of this section will constitute a completed registration card for the person for purposes of this chapter. The person shall be registered to vote if the county clerk determines that the person is qualified to vote under Article II, section 2, of the Oregon Constitution, and the person

1 is not already registered to vote.

2 (6) A county clerk may not send a ballot to, or add to an elector registration list, a person who  
 3 is determined under subsection (5) of this section to be qualified to vote, and who is not already  
 4 registered to vote, until at least 21 calendar days after the secretary or county clerk provided no-  
 5 tification to the person as described in subsection (4) of this section.

6 (7) The transfer of personal information and data by the authority or department to the secre-  
 7 tary under this section is limited to the information and data that is necessary to register electors.  
 8 Information and data transferred to the secretary under this section may be used only for the pur-  
 9 pose of registering electors.

10 (8) The secretary shall adopt rules required to implement this section, including rules to ensure  
 11 that no ballot is counted for a person registered to vote under this section whose registration record  
 12 does not contain an electronic signature.

13 (9) As used in this section, “electronic signature” means an electronic form of a handwritten  
 14 signature that can be verified, in the manner described in ORS 254.470 [(11)] (5), for the purpose of  
 15 tallying ballots.

16 **SECTION 32. ORS 254.458 and 254.473 are repealed.**

17  
 18 **UNIT CAPTIONS AND OPERATIVE DATE**

19  
 20 **SECTION 33. The unit captions used in this 2025 Act are provided only for the conven-**  
 21 **ience of the reader and do not become part of the statutory law of this state or express any**  
 22 **legislative intent in the enactment of this 2025 Act.**

23 **SECTION 34. (1) Section 8 of this 2025 Act, the amendments to ORS 192.842, 247.018,**  
 24 **247.307, 247.948, 247.965, 251.175, 251.315, 253.005, 253.065, 253.070, 253.585, 253.690, 254.321,**  
 25 **254.365, 254.408, 254.465, 254.470, 254.474, 254.480, 254.482, 254.485, 260.665, 260.695 and 350.245**  
 26 **by sections 5, 6 and 9 to 31 of this 2025 Act and the repeal of ORS 254.458 and 254.473 by**  
 27 **section 32 of this 2025 Act become operative and first apply to elections held on or after**  
 28 **January 1, 2028.**

29 (2) The Secretary of State and county clerks may take any action before the operative  
 30 date specified in subsection (1) of this section that is necessary to enable the Secretary of  
 31 State and county clerks to exercise, on and after the operative date specified in subsection  
 32 (1) of this section, all the duties, functions and powers conferred on the Secretary of State  
 33 and county clerks by section 8 of this 2025 Act and the amendments to ORS 192.842, 247.018,  
 34 247.307, 247.948, 247.965, 251.175, 251.315, 253.005, 253.065, 253.070, 253.585, 253.690, 254.321,  
 35 254.365, 254.408, 254.465, 254.470, 254.474, 254.480, 254.482, 254.485, 260.665, 260.695 and 350.245  
 36 by sections 5, 6 and 9 to 31 of this 2025 Act.

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