

Senate Bill 1046

Sponsored by Senator SMITH DB

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 directs the DFW to provide the SOS with certain data on persons who may qualify to vote in this state. (Flesch Readability Score: 72.9).

Directs the State Department of Fish and Wildlife to provide the Secretary of State with electronic records containing the legal name, age, residence and citizenship information and electronic signature of each person who may qualify as an elector as prescribed by the secretary by rule. Directs the secretary to register as an elector each nonregistered person whose electronic records the secretary receives from the State Department of Fish and Wildlife and who is qualified to vote.

Becomes operative on June 1, 2027.

A BILL FOR AN ACT

1
2 Relating to voter registration through the State Department of Fish and Wildlife; creating new
3 provisions; and amending ORS 247.002, 247.012, 247.014 and 247.017.

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

5 **SECTION 1.** ORS 247.017 is amended to read:

6 247.017. (1) The Secretary of State shall by rule establish a schedule by which the Department
7 of Transportation **and the State Department of Fish and Wildlife** shall provide to the secretary
8 electronic records containing the legal name, age, residence and citizenship information for, and the
9 electronic signature of, each person who meets qualifications identified by the secretary by rule.

10 (2) Upon receiving the electronic record for, and electronic signature of, a person described in
11 subsection (1) of this section, the Secretary of State shall provide the information to the county
12 clerk of the county in which the person may be registered as an elector. The secretary or county
13 clerk shall notify each person of the process to:

14 (a) Decline being registered as an elector.

15 (b) Adopt a political party affiliation.

16 (3) If a person notified under subsection (2) of this section does not decline to be registered as
17 an elector within 21 calendar days after the Secretary of State or county clerk issues the notifica-
18 tion, the person's electronic record and electronic signature submitted under subsection (1) of this
19 section will constitute a completed registration card for the person for purposes of this chapter. The
20 person shall be registered to vote if the county clerk determines that the person is qualified to vote
21 under Article II, section 2, of the Oregon Constitution, and the person is not already registered to
22 vote.

23 (4) A county clerk may not send a ballot to, or add to an elector registration list, a person who
24 meets eligibility requirements until at least 21 calendar days after the Secretary of State or county
25 clerk provided notification to the person as described in subsection (2) of this section.

26 (5) In addition to providing electronic records to the Secretary of State under subsection (1) of
27 this section, the Department of Transportation **and the State Department of Fish and Wildlife**

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 may by rule develop, and require the availability or use of, any form or application the department
 2 determines is necessary to ensure compliance with the voter registration provisions of the National
 3 Voter Registration Act of 1993 (P.L. 103-31).

4 (6) The Secretary of State shall adopt rules required to implement subsections (1) to (4) of this
 5 section.

6 **SECTION 2.** ORS 247.002, as amended by section 3, chapter 492, Oregon Laws 2023, is amended
 7 to read:

8 247.002. As used in this chapter:

9 (1) “County clerk” means the county clerk or the county official in charge of elections.

10 (2) “Elector” means an individual qualified to vote under Article II, section 2, Oregon Consti-
 11 tution.

12 (3) “Registration card” means:

13 (a) A state voter registration card approved by the Secretary of State under ORS 247.171;

14 (b) A federal voter registration application form prescribed by the Federal Election Commission
 15 pursuant to the National Voter Registration Act of 1993 (P.L. 103-31);

16 (c) An electronic record containing an individual’s legal name, age, residence and citizenship
 17 information and electronic signature submitted to the Department of Transportation **or the State**
 18 **Department of Fish and Wildlife** in the manner described in ORS 247.017; or

19 (d) An electronic record containing an individual’s legal name, age, residence and citizenship
 20 information submitted to the Oregon Health Authority in the manner described in ORS 247.018.

21 **SECTION 3.** ORS 247.012, as amended by section 4, chapter 492, Oregon Laws 2023, is amended
 22 to read:

23 247.012. (1) A qualified person may register to vote or update a registration to vote by:

24 (a) Delivering by mail, having a person deliver or otherwise delivering a completed registration
 25 card to any county clerk, the Secretary of State, any office of the Department of Transportation or
 26 any designated voter registration agency as described in ORS 247.208;

27 (b) Personally delivering, or having a person deliver, the card to an official designated by a
 28 county clerk under subsection (7) of this section;

29 (c) Submitting the person’s legal name, age, residence and citizenship information and electronic
 30 signature to the Department of Transportation **or the State Department of Fish and Wildlife**;

31 (d) Submitting the person’s legal name, age, residence and citizenship information to the Oregon
 32 Health Authority for use in the Oregon Health Plan; or

33 (e) Completing a registration card using the electronic voter registration system described in
 34 ORS 247.019.

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

36 (a) Any person other than a county clerk or the Secretary of State, the person shall forward the
 37 card to a county clerk or the Secretary of State not later than the fifth day after receiving the card;
 38 or

39 (b) The Secretary of State or a county clerk for a county other than the county in which the
 40 person applying for registration resides, the Secretary of State or county clerk shall forward the
 41 card to the county clerk for the county in which the person resides not later than the fifth day after
 42 receiving the card.

43 (3) Registration of a qualified person occurs:

44 (a) When a legible, accurate and complete registration card is received in the office of any
 45 county clerk, the Office of the Secretary of State, an office of the Department of Transportation, a

1 designated voter registration agency under ORS 247.208 or at a location designated by a county
2 clerk under subsection (7) of this section;

3 (b) On the date a registration card is postmarked if the card is received after the 21st day im-
4 mediately preceding an election but is postmarked not later than the 21st day immediately preceding
5 the election and is addressed to an office of any county clerk, the Office of the Secretary of State,
6 an office of the Department of Transportation or any designated voter registration agency as de-
7 scribed in ORS 247.208; or

8 (c) In the case of a registration card missing a date of birth, containing an incomplete date of
9 birth or containing an unintentional scrivener's error that is supplied or corrected as described in
10 subsection (4) or (6) of this section, on the date that registration would have occurred if the regis-
11 tration card had not been missing the date of birth, contained an incomplete date of birth or con-
12 tained the scrivener's error.

13 (4)(a)(A) Except as provided in ORS 247.125, if a registration card is legible, accurate and con-
14 tains, at a minimum, the registrant's name, residence address, date of birth and signature, the county
15 clerk shall register the person.

16 (B) The county clerk shall register a person pursuant to ORS 247.018, regardless of whether the
17 person's registration card contains a signature, if the person's registration card is legible, accurate
18 and contains, at a minimum, the registrant's name, residence address and date of birth.

19 (b) If the information required under paragraph (a)(A) of this subsection is missing from the
20 registration card or the date of birth is incomplete, or if the signature of a person described in
21 paragraph (a)(B) of this subsection has not been submitted, the county clerk shall attempt to obtain
22 the missing or incomplete information from all sources available to the county clerk, including but
23 not limited to current and previous addresses and phone numbers of the registrant. The county clerk
24 may also supply the registrant's date of birth from any previous registration of the registrant. If the
25 missing or incomplete information cannot be obtained from sources available to the county clerk,
26 the county clerk shall use reasonable efforts to contact the registrant by phone, mail and electronic
27 mail to obtain the missing or incomplete information.

28 (5) If a registration card meets the requirements of subsection (4) of this section but is missing
29 an indication of political party affiliation, the registrant shall be considered not affiliated with any
30 political party. This subsection does not apply if an elector is updating a registration.

31 (6) If a registration card contains an unintentional scrivener's error, the county clerk may at-
32 tempt to contact the person to correct the error.

33 (7) A county clerk may appoint officials to accept registration of persons at designated locations.
34 The appointments and locations shall be in writing and filed in the office of the county clerk. The
35 county clerk shall be responsible for the performance of duties by those appointed.

36 (8) A registration card received and accepted under this section shall be considered an active
37 registration.

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

39 **SECTION 4.** ORS 247.014, as amended by section 6, chapter 492, Oregon Laws 2023, is amended
40 to read:

41 247.014. In implementing ORS 247.012, 247.017, 247.018 and 247.171, the Department of Trans-
42 portation, [and] the Oregon Health Authority **and the State Department of Fish and Wildlife**
43 shall take steps reasonably necessary to allow transfer of voter registration information by elec-
44 tronic or magnetic medium.

45 **SECTION 5. (1) The amendments to ORS 247.002, 247.012, 247.014 and 247.017 by sections**

1 1 to 4 of this 2025 Act become operative on June 1, 2027.

2 (2) The Secretary of State, the State Department of Fish and Wildlife and the county
3 clerks may take any action before the operative date specified in subsection (1) of this sec-
4 tion that is necessary for the Secretary of State, the State Department of Fish and Wildlife
5 and the county clerks to exercise, on and after the operative date specified in subsection (1)
6 of this section, all of the duties, functions and powers conferred on the Secretary of State,
7 the State Department of Fish and Wildlife and the county clerks by the amendments to ORS
8 247.002, 247.012, 247.014 and 247.017 by sections 1 to 4 of this 2025 Act.

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