

Senate Bill 1048

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 makes multiple changes to this state's election laws. (Flesch Readability Score: 61.3).

Requires each county clerk to ensure that an equal number of volunteers from each major political party assist with the county clerk's official duties.

Provides that ballots may be collected from an official ballot drop site only by a team with an equal number of individuals affiliated with each major political party.

Prohibits not-for-profit corporations that receive moneys directly from the state from making certain political contributions during a biennium in which the corporation receives state moneys. Creates exceptions.

Repeals and amends provisions related to voters who are inactive.

Prohibits certain envelopes from containing any outward identifier, including any numeric code, of the political party affiliation of the elector.

Prohibits an individual from collecting and returning the ballot of another individual, subject to specified exceptions.

Prohibits the establishment of unofficial ballot drop sites.

Requires a secrecy envelope to be included with every ballot.

Requires evidence of citizenship for persons registering to vote in this state. Specifies when the registration of a qualified person occurs. Repeals the electronic voter registration system.

Repeals the transfer of certain electronic records from the Oregon Health Authority to the Secretary of State. Repeals the automatic transfer of voter registration information from the Department of Transportation and the Oregon Health Authority to the Secretary of State.

Requires that all ballots must be received by the county clerk by 8 p.m. on the day of the election.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to elections; creating new provisions; amending ORS 247.002, 247.012, 247.013, 247.014, 247.017, 247.025, 247.171, 247.292, 247.302, 253.065, 253.070, 253.585, 253.690, 254.408, 254.411, 254.431, 254.458, 254.470, 254.478, 254.485, 260.695 and 260.993; repealing ORS 247.018, 247.019, 247.275, 247.281 and 254.458 and section 9, chapter 492, Oregon Laws 2023; and declaring an emergency.

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

ELECTION WORKER PARTY AFFILIATION

SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 246.

SECTION 2. (1) If volunteers are included in the composition of a board or other entity established by the county clerk for the purpose of assisting the county clerk in fulfilling one or more official duties, the county clerk shall ensure that the board or other entity contains an equal number of volunteers affiliated with each major political party.

(2) As used in this section, "major political party" has the meaning given that term in ORS 254.005.

SECTION 3. Section 4 of this 2025 Act is added to and made a part of ORS chapter 254.

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 (2)(a) In order for the vote of the elector to be counted, the elector must provide evidence suf-
 2 ficient to disprove the challenge not later than the 21st calendar day after the date of the election.
 3 In the case of an unsigned return identification envelope, providing sufficient evidence may include
 4 completing a certified statement on a form provided by the county clerk. The Secretary of State
 5 shall design a standard form to be used for certified statements made under this paragraph.

6 (b) If the elector does not provide evidence sufficient to disprove a challenge alleging that the
 7 signature of the elector on a return identification envelope does not match the signature in the
 8 voter registration record for the elector by the 21st calendar day after the date of the election, the
 9 registration of the elector shall be considered inactive.

10 (3)(a) The filing officer may not release as a public record any information that could be used
 11 to identify an elector whose ballot has been challenged under this section until the 15th calendar
 12 day after the date of an election.

13 (b) Following the 14th calendar day after the date of an election, the filing officer may disclose
 14 as a public record under ORS 192.311 to 192.478 the following information about each elector whose
 15 ballot was challenged under this section:

16 (A) The name of the elector;

17 (B) The residence addresses of the elector; and

18 (C) The reason the elector's ballot is being challenged.

19 [(4) *The provisions of ORS 247.281 apply to an elector whose registration becomes inactive under*
 20 *this section.*]

21 [(5)] (4) As used in this section, "filing officer" means:

22 (a) The Secretary of State, for federal or statewide elections and for elections to the office of
 23 state Senator or Representative; or

24 (b) The county clerk, for county, city or district elections.

25 **SECTION 9.** ORS 247.013 is amended to read:

26 247.013. (1) A qualified person shall be considered registered to vote in a county when the
 27 person's first registration in the county occurs as described in ORS 247.012.

28 (2) An elector who changes residence address from the county in which the elector is registered
 29 to a different county within the state, in order to vote in an election, must be an elector registered
 30 in the county in which the new residence address of the elector is located.

31 (3) If there is a change in any information required for registration under this chapter, and the
 32 elector has not changed residence address to another county, the registration of the elector may be
 33 updated as provided in this chapter.

34 (4) Notwithstanding subsections (2) and (3) of this section, if an elector changes residence ad-
 35 dress from the county in which the elector is registered to a different county within the state, the
 36 elector need not register again if the registration of the elector is updated.

37 (5) If the county clerk does not have evidence of a change in any information required for reg-
 38 istration under this chapter for an elector, the registration of the elector shall be considered active.

39 (6) The registration of an elector shall be considered inactive if:

40 (a) The county clerk has received evidence that there has been a change in the information re-
 41 quired for registration under this chapter **or the elector has neither voted nor updated the**
 42 **registration for a period of four or more years;** and

43 (b) The county clerk has mailed the notice described in ORS 247.563.

44 (7) **The registration of an elector shall not be moved to an inactive file during the 60-day**
 45 **period prior to any election because the elector has neither voted nor updated the registra-**

1 **tion for a period of four or more years.**

2 [(7)] (8) The inactive registration of an elector must be updated before the elector may vote in
3 an election.

4
5 **BALLOT ENVELOPES**

6
7 **SECTION 10.** ORS 254.470 is amended to read:

8 254.470. (1) The Secretary of State by rule shall establish requirements and criteria for the
9 designation of places of deposit for the ballots cast in an election. The rules shall also specify the
10 dates and times the places of deposit must be open and the security requirements for the places of
11 deposit. At a minimum, the places designated under this section shall be open on the date of the
12 election for a period of eight or more hours, but must be open until at least 8 p.m. At each place
13 of deposit designated under this section, the county clerk shall prominently display a sign stating
14 that the location is an official ballot drop site.

15 (2)(a)(A) Except as provided in paragraphs (b) to [(e)] (d) of this subsection, the county clerk
16 shall mail by nonforwardable mail an official ballot with a return identification envelope and a se-
17 crecy envelope not sooner than the 20th day before the date of an election and not later than the
18 14th day before the date of the election, to each active elector of the electoral district as of the 21st
19 day before the date of the election.

20 **(B) A ballot envelope used by the county clerk to mail a ballot to an active elector under**
21 **this paragraph may not contain any outward identifier, including any numeric code, that**
22 **would allow an individual to know the political party affiliation, if any, of the active elector**
23 **receiving the ballot.**

24 **(C) A return identification envelope mailed to an active elector under this paragraph may**
25 **not contain any outward identifier, including any numeric code, that would allow an individ-**
26 **ual to know the political party affiliation, if any, of the active elector returning the ballot.**

27 (b) If the county clerk determines that an active elector of the electoral district as of the 21st
28 day before the date of the election does not receive daily mail service from the United States Postal
29 Service, the county clerk shall mail by nonforwardable mail an official ballot with a return iden-
30 tification envelope and a secrecy envelope to the elector not sooner than the 20th day before the
31 date of an election and not later than the 18th day before the date of the election.

32 (c) In the case of ballots to be mailed to addresses outside this state to electors who are not
33 military or overseas electors, the county clerk may mail the ballots not sooner than the 29th day
34 before the date of the election.

35 (d) If an active elector of the electoral district requests an absentee ballot because the elector
36 will be absent from the electoral district during the period of time described in paragraph (a) of this
37 subsection, the county clerk may, if the elector's ballot is available:

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

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

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

45 (3) For an election held on the date of a primary election:

1 (a) The county clerk shall mail the official ballot of a major political party to each elector who
 2 is registered as being affiliated with the major political party as of the 21st day before the date of
 3 the election.

4 (b) The county clerk shall mail the official ballot of a major political party to an elector not
 5 affiliated with any political party if the elector has applied for the ballot as provided in this sub-
 6 section and that party has provided under ORS 254.365 for a primary election that admits electors
 7 not affiliated with any political party.

8 (c) An elector not affiliated with any political party who wishes to vote in the primary election
 9 of a major political party shall apply to the county clerk in writing. The application must be com-
 10 pleted, signed and submitted by the elector electronically, in person or by mail, in a manner deter-
 11 mined by the secretary by rule and must indicate which major political party ballot the elector
 12 wishes to receive. Except for electors described in subsection (4) of this section, and subject to ORS
 13 247.203, the application must be received by the county clerk not later than 5 p.m. of the 21st day
 14 before the date of the election.

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

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

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

26 (5) The ballot shall contain the following warning:
 27

28
 29 Any person who, by use of force or other means, unduly influences an elector to vote in any
 30 particular manner or to refrain from voting is subject to a fine.
 31

32
 33 (6)(a) Upon receipt of any ballot described in this section, the elector shall mark the ballot, sign
 34 the return identification envelope supplied with the ballot and comply with the instructions provided
 35 with the ballot.

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

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

40 (d) Subject to paragraph (e) of this subsection, if a person returns a ballot for an elector **in the**
 41 **manner permitted under section 13 of this 2025 Act**, the person shall deposit the ballot in a
 42 manner described in paragraph (b) of this subsection not later than two days after receiving the
 43 ballot.

44 (e) *[If the elector deposits the ballot at the office of the county clerk, at any place of deposit des-*
 45 *ignated by the county clerk or at any location described in ORS 254.472 or 254.474, the]* A ballot must

1 be received at the office of the county clerk, at the designated place of deposit or at any location
 2 described in ORS 254.472 or 254.474 not later than the end of the period determined under sub-
 3 section (1) of this section on the date of the election. *[If the elector returns the ballot by mail:]*

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

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

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

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

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

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

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

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

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

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

24 *[(9)]* **(7)** An elector may obtain a replacement ballot if the ballot is destroyed, spoiled, lost or
 25 not received by the elector. Replacement ballots shall be issued and processed as described in this
 26 section and ORS 254.480. The county clerk shall keep a record of each replacement ballot provided
 27 under this subsection. Notwithstanding any deadline for mailing ballots in subsection (2) of this
 28 section, a replacement ballot may be mailed, made available in the office of the county clerk or made
 29 available at one central location in the electoral district in which the election is conducted. The
 30 county clerk shall designate the central location. A replacement ballot need not be mailed after the
 31 fifth day before the date of the election.

32 *[(10)]* **(8)** A ballot shall be counted only if:

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

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

36 (c) The signature is verified as provided in subsection *[(11)]* **(9)** of this section.

37 *[(11)]* **(9)** The county clerk shall verify the signature of each elector on the return identification
 38 envelope with the signature on the elector's registration record, according to the procedure provided
 39 by rules adopted by the Secretary of State. Rules adopted by the secretary under this subsection
 40 must limit personnel authorized to verify signatures to the personnel authorized to count ballots
 41 under ORS 254.476. If the county clerk determines that an elector to whom a replacement ballot has
 42 been issued has voted more than once, the county clerk shall count only one ballot cast by that
 43 elector.

44 *[(12)]* **(10)** At 8 p.m. on election day, electors who are at the county clerk's office, a place of
 45 deposit designated under subsection (1) of this section or any location described in ORS 254.472 or

1 254.474 and who are in line waiting to vote or deposit a voted ballot shall be considered to have
2 begun the act of voting.

3 [(13)(a)(A)] **(11)(a)(A)** Except as provided in subparagraph (B) of this paragraph, the name of the
4 Secretary of State may not appear in the secretary's official capacity on the return identification
5 envelope, **secrecy envelope** or on any instructions or materials included with the ballot if the sec-
6 retary is a candidate in the election for which the ballot is printed.

7 (B) This paragraph does not prohibit the name of the Secretary of State from appearing in the
8 secretary's official capacity in the voters' pamphlet.

9 (b) The name of the county clerk or other filing officer may not appear in the official capacity
10 of the county clerk or filing officer on the return identification envelope, **secrecy envelope** or on
11 any instructions or materials included with the ballot if the county clerk or filing officer is a can-
12 didate in the election for which the ballot is printed.

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

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

17 **SECTION 11.** ORS 253.065 is amended to read:

18 253.065. (1) For electors with mailing addresses outside this state, the county clerk shall deliver
19 a ballot:

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

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

23 (2) The clerk shall deliver with the ballot instructions for marking and returning the ballot, a
24 return identification envelope and[, *if used,*] a secrecy envelope. Except as provided in subsection
25 (3) of this section, the return identification envelope must contain:

26 (a) **A statement and** space for the elector to sign the envelope[.], **stating that the elector:**

27 **(A) Is qualified to vote;**

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

29 **(C) Has not unnecessarily exhibited the marked ballot to any other person; and**

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

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

35 (3) For a military or overseas elector as defined in ORS 253.501, the return identification en-
36 velope provided under subsection (2) of this section must contain:

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

39 (b) Space for the elector to sign **the envelope**.; *and*]

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

44 **(4)(a) A ballot envelope used by the county clerk to mail a ballot to an elector under this**
45 **section may not contain any outward identifier, including any numeric code, that would allow**

1 **an individual to know the political party affiliation, if any, of the elector receiving the ballot.**

2 **(b) A return identification envelope mailed to an elector under this section may not**
 3 **contain any outward identifier, including any numeric code, that would allow an individual**
 4 **to know the political party affiliation, if any, of the elector returning the ballot.**

5 [(4)] **(5) An absent elector may obtain a replacement ballot if the ballot delivered under this**
 6 **section is destroyed, spoiled, lost or not received by the elector. The county clerk shall keep a re-**
 7 **cord of each replacement ballot provided under this subsection.**

8 [(5)] **(6) A replacement ballot provided under subsection [(4)] (5) of this section may be mailed**
 9 **or shall be made available in the office of the county clerk.**

10 [(6)] **(7) If the county clerk determines that an absent elector to whom a replacement ballot has**
 11 **been issued at the request of the elector has voted more than once, the county clerk shall count only**
 12 **the first ballot received by the clerk and provide the elector’s name to the Secretary of State for**
 13 **further review. If the county clerk is required to reissue ballots due to a change on the ballot for**
 14 **any reason, that ballot shall be counted in lieu of any previous ballot issued unless:**

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

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

18
 19 **RETURNED BALLOTS**

20
 21 **SECTION 12. Section 13 of this 2025 Act is added to and made a part of ORS chapter 254.**

22 **SECTION 13. (1) Each elector must return the elector’s own ballot in the manner pro-**
 23 **vided in ORS 254.470. Except as provided in subsection (2) of this section, an individual may**
 24 **not collect or return another individual’s ballot.**

25 **(2) An individual may collect and return the ballot of a different individual:**

26 **(a) Who is an elector; and**

27 **(b)(A) Who is a relative of the individual who collects and returns the ballot; and**

28 **(B) Who is a member of the household of the individual who collects and returns the**
 29 **ballot.**

30 **(3) An individual who collects and returns the ballot of a different individual under sub-**
 31 **section (2) of this section must deposit the ballot in the manner described in ORS 254.470 not**
 32 **later than two days after collecting the ballot.**

33 **(4) As used in this section:**

34 **(a)(A) Except as provided in subparagraph (B) of this paragraph, “member of the house-**
 35 **hold” means any individual who resides with the individual whose ballot is collected and re-**
 36 **turned.**

37 **(B) “Member of the household” does not include an individual who is not a relative of the**
 38 **individual whose ballot is collected, but who lives or works at the same nursing home facility,**
 39 **multifamily housing facility or encampment as the individual whose ballot is collected.**

40 **(b) “Relative” means:**

41 **(A) The spouse of the individual whose ballot is collected and returned;**

42 **(B) A parent of the individual whose ballot is collected and returned;**

43 **(C) Any individual for whom the individual whose ballot is collected and returned has a**
 44 **legal support obligation;**

45 **(D) Any individual for whom the individual whose ballot is collected and returned pro-**

1 **vides benefits; or**

2 **(E) Any individual for whom the individual whose ballot is collected and returned receives**
 3 **benefits arising from that individual's employment.**

4
 5 **INFORMAL BALLOT DROP BOXES**

6
 7 **SECTION 14.** ORS 260.695 is amended to read:

8 260.695. (1)(a) If a person prints or circulates an imitation of the ballot or sample ballot:

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

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

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

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

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

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

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

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

38 (3) A person may not do any electioneering, including circulating any cards or handbills, or so-
 39 liciting of signatures to any petition, within any building in which any state or local government
 40 elections office designated for the deposit of ballots under ORS 254.470 is located, or within 100 feet
 41 measured radially from any entrance to the building. A person may not do any electioneering by
 42 public address system located more than 100 feet from an entrance to the building if the person is
 43 capable of being understood within 100 feet of the building. The electioneering need not relate to
 44 the election being conducted. This subsection applies during the business hours of the building or,
 45 if the building is a county elections office, during the hours the office is open to the public, during

1 the period beginning on the date that ballots are mailed to electors as provided in ORS 254.470 and
 2 ending on election day at 8 p.m. or when all persons waiting in line at the building who began the
 3 act of voting as described in ORS 254.470 [(12)] (10) by 8 p.m. have finished voting.

4 (4) A person may not obstruct an entrance of a building in which ballots are issued or a place
 5 designated for the deposit of ballots under ORS 254.470 or any voting booth maintained under ORS
 6 254.474 is located. This subsection applies during the period beginning on the date that ballots are
 7 mailed to electors as provided in ORS 254.470 and ending on election day at 8 p.m. or when all
 8 persons waiting in line at the building or location who began the act of voting as described in ORS
 9 254.470 [(12)] (10) by 8 p.m. have finished voting.

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

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

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

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

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

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

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

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

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

32 (14) A person, except an elections official in performance of duties, may not provide elections
 33 advice or attempt to collect voted ballots within any building in which any state or local govern-
 34 ment elections office designated for the deposit of ballots under ORS 254.470 is located, or within
 35 100 feet measured radially from any entrance to the building.

36 (15)(a) **Except as provided in paragraph (b) of this subsection,** a person[, *except an elections*
 37 *official in performance of duties,*] may not establish a location to collect ballots voted by electors
 38 [*unless:*].

39 **(b) An elections official in performance of duties may establish official ballot drop sites**
 40 **designated under ORS 254.470.**

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

43 [(b) *The sign is printed in all capital letters in bold 50-point type.*]

44
 45

SECURITY ENVELOPES

SECTION 15. ORS 254.408 is amended to read:

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

(2) Whenever an elector updates a registration at a county clerk’s office after the ballots have been mailed under ORS 254.470, the elector shall vote in that election in the manner provided in this section.

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

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

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

(b) An envelope provided under this subsection must comply with the prohibitions set forth in ORS 254.470 [(13)] (11).

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

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

SECTION 16. ORS 254.478 is amended to read:

254.478. (1) Subject to ORS 260.705, upon receipt of ballots, the county clerk may:

(a) Begin opening return identification envelopes **and secrecy envelopes** of ballots [*and any used secrecy envelopes of ballots*]; and

(b) In accordance with a security plan approved by the Secretary of State under ORS 254.074, begin scanning ballots into a vote tally system.

(2) The county clerk may take any other actions that are necessary to count ballots.

PROOF OF CITIZENSHIP

SECTION 17. Section 18 of this 2025 Act is added to and made a part of ORS chapter 247.

SECTION 18. (1) A person who is registering to vote in accordance with ORS 247.012 (1) must provide evidence of the person’s United States citizenship with the registration.

(2) For purposes of subsection (1) of this section, evidence of United States citizenship may include:

(a) Any form of identification issued in accordance with the requirements of the federal Real ID Act of 2005, 119 Stat. 231, that indicates the person is a United States citizen;

(b) A valid United States passport;

(c) A United States military identification card, together with a United States military record of service showing that the person’s place of birth was in the United States;

(d) A valid government-issued photo identification card issued by a federal, state or tribal government showing that the person’s place of birth was in the United States; or

(e) A valid government-issued photo identification card issued by a federal, state or tribal

1 **government, other than an identification described in paragraphs (a) to (d) of this subsection,**
 2 **if also presented together with one or more of the following:**

3 (A) **A certified birth certificate, including any legal documentation proving that the**
 4 **person's legal name has changed since birth;**

5 (B) **An extract from a United States hospital record of birth created at the time of the**
 6 **applicant's birth that indicates that the applicant's place of birth was in the United States;**

7 (C) **A final adoption decree showing the person's name and that the person was born in**
 8 **the United States;**

9 (D) **A consular report of birth abroad for a citizen of the United States or a certification**
 10 **of the person's report of birth of a United States citizen issued by the United States Secre-**
 11 **tary of State;**

12 (E) **A naturalization certificate or certificate of citizenship issued by the United States**
 13 **Secretary of Homeland Security or any other document or method of proof of United States**
 14 **citizenship issued by the federal government under the federal Immigration and Nationality**
 15 **Act (8 U.S.C. 1101 et seq.) (1952); or**

16 (F) **A United States Bureau of Indian Affairs card number, tribal treaty card number or**
 17 **tribal enrollment number.**

18 **SECTION 19.** ORS 247.171, as amended by section 7, chapter 492, Oregon Laws 2023, is
 19 amended to read:

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

26 (2) The Secretary of State shall approve any voter registration application form developed for
 27 use by *[any]* **the Department of Transportation under ORS 247.017 or by any other** agency
 28 designated as a voter registration agency under ORS 247.208.

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

32 (a) Full name;

33 (b) Residence address, mailing address or any other information necessary to locate the resi-
 34 dence of the person offering to register to vote;

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

36 (d) Date of birth;

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

38 (f) *[Except as provided in ORS 247.018,]* A signature attesting to the fact that the person is
 39 qualified to be an elector.

40 (4) **Each voter registration card designed by the Secretary of State must state that evi-**
 41 **dence of United States citizenship is required for persons who are registering to vote in this**
 42 **state and must list examples of documents that are accepted as evidence of citizenship.**

43 *[(4)]* (5) Any form containing a voter registration card may also include space for a person to
 44 provide:

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

1 (b) If previously registered to vote in this state, the name then supplied by the person and the
 2 county and, if known, the address of previous registration.

3 ~~[(5)]~~ (6) A person shall not supply any information under subsection (3) or ~~[(4)]~~ (5) of this section
 4 knowing it to be false.

5 ~~[(6)]~~ (7) A county clerk or other person accepting registration cards shall not request any in-
 6 formation unless it is authorized by state or federal law.

7 ~~[(7)]~~ (8) *[Except as provided in ORS 247.018,]* A person shall attest to the information supplied
 8 on the voter registration card by signing the completed registration card.

9 ~~[(8)]~~ (9) *[Except as provided in subsection (7) of this section,]* Any completed and signed regis-
 10 tration card described in subsection (3) of this section shall be the official registration card of the
 11 elector.

12 **SECTION 20.** ORS 247.012, as amended by section 4, chapter 492, Oregon Laws 2023, is
 13 amended to read:

14 247.012. (1) A qualified person may register to vote or update a registration to vote by:

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

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

20 **(c) Completing the voter registration portion of the application for issuance or renewal**
 21 **of a driver license, issuance of a state identification card under ORS 807.400 or a change of**
 22 **address at an office of the Department of Transportation.**

23 *[(c) Submitting the person's legal name, age, residence and citizenship information and electronic*
 24 *signature to the Department of Transportation;]*

25 *[(d) Submitting the person's legal name, age, residence and citizenship information to the Oregon*
 26 *Health Authority for use in the Oregon Health Plan; or]*

27 *[(e) Completing a registration card using the electronic voter registration system described in ORS*
 28 *247.019.]*

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

30 (a) Any person other than a county clerk or the Secretary of State, the person shall forward the
 31 card to a county clerk or the Secretary of State not later than the fifth day after receiving the card;
 32 **or**

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

37 *[(3) Registration of a qualified person occurs:]*

38 *[(a) When a legible, accurate and complete registration card is received in the office of any county*
 39 *clerk, the Office of the Secretary of State, an office of the Department of Transportation, a designated*
 40 *voter registration agency under ORS 247.208 or at a location designated by a county clerk under sub-*
 41 *section (7) of this section;]*

42 *[(b) On the date a registration card is postmarked if the card is received after the 21st day imme-*
 43 *diately preceding an election but is postmarked not later than the 21st day immediately preceding the*
 44 *election and is addressed to an office of any county clerk, the Office of the Secretary of State, an office*
 45 *of the Department of Transportation or any designated voter registration agency as described in ORS*

1 247.208; or]

2 [(c) In the case of a registration card missing a date of birth, containing an incomplete date of birth
3 or containing an unintentional scrivener's error that is supplied or corrected as described in subsection
4 (4) or (6) of this section, on the date that registration would have occurred if the registration card had
5 not been missing the date of birth, contained an incomplete date of birth or contained the scrivener's
6 error.]

7 [(4)(a)(A)] **(3) The county clerk for the county in which the person resides shall register**
8 **the person**, except as provided in ORS 247.125, if [a] **the person's** registration card is:

9 **(a)** Legible, accurate and contains, at a minimum, the [registrant's] **person's** name, residence
10 address, date of birth and signature[, *the county clerk shall register the person.*]; **and**

11 **[(B) The county clerk shall register a person Pursuant to ORS 247.018, regardless of whether the**
12 **person's registration card contains a signature, if the person's registration card is legible, accurate and**
13 **contains, at a minimum, the registrant's name, residence address and date of birth.]**

14 **(b) Accompanied by evidence of United States citizenship.**

15 **[(b)] (4) If the information or evidence of United States citizenship** required under [*paragraph*
16 *(a)(A) of this*] subsection **(3) of this section** is missing [*from the registration card*] or the date of
17 birth is incomplete, [*or if the signature of a person described in paragraph (a)(B) of this subsection*
18 *has not been submitted,*] the county clerk shall attempt to obtain the missing or incomplete infor-
19 mation from all sources available to the county clerk, including but not limited to current and pre-
20 vious addresses and phone numbers of the registrant. The county clerk may also supply the
21 registrant's date of birth from any previous registration of the registrant. If the missing or incom-
22 plete information cannot be obtained from sources available to the county clerk, the county clerk
23 shall use reasonable efforts to contact the registrant by phone, mail and electronic mail to obtain
24 the missing or incomplete information.

25 (5) If a registration card meets the requirements of subsection [(4)] **(3)** of this section but is
26 missing an indication of political party affiliation, the registrant [*shall be*] **is** considered not affil-
27 iated with any political party. This subsection does not apply if an elector is updating a registration.

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

30 (7) A county clerk may appoint officials to accept registration of persons at designated locations.
31 The appointments and locations shall be in writing and filed in the office of the county clerk. The
32 county clerk [*shall be*] **is** responsible for the performance of duties by those appointed.

33 (8) A registration [*card received and accepted*] **that occurs** under this section [*shall be*] **is** con-
34 sidered an active registration.

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

36 **(10) The county clerk shall mail a written notice to each person who has attempted to**
37 **register to vote in this state under this section. The notice must indicate whether the person**
38 **is registered and must be mailed not later than seven business days after the county clerk**
39 **receives registration materials under subsection (1) or (2) of this section. The registration**
40 **of a qualified person occurs on the date the county clerk mails the notice confirming the**
41 **registration of the person.**

42 **SECTION 21.** ORS 247.025 is amended to read:

43 247.025. To vote in an election:

44 (1) **Except as provided in ORS 247.012 (10)**, a person's registration card must be received at
45 an office or location described in ORS 247.012 not later than the time the office or location closes

1 for business on the 21st day immediately preceding the election, but in no case later than midnight
 2 of the 21st day immediately preceding the election; **or**

3 (2) **Except as provided in ORS 247.012 (10)**, a person’s registration card must be postmarked
 4 not later than the 21st day immediately preceding the election and be addressed to an office of any
 5 county clerk, the Office of the Secretary of State, an office of the Department of Transportation or
 6 any designated voter registration agency as described in ORS 247.208[; or].

7 [(3) *A person’s registration card must be delivered electronically as described in ORS 247.019 not*
 8 *later than 11:59 p.m. of the 21st day immediately preceding the election.*]

9 **SECTION 22.** ORS 260.993 is amended to read:

10 260.993. (1) The penalty for violation of ORS 260.532 is limited to that provided in ORS 260.532
 11 (6) and (8).

12 (2) Violation of ORS 247.125 (1), 247.171 [(5)] (6), 247.420 (2), 253.710, 260.402, 260.555, 260.558,
 13 260.575, 260.645 or 260.665 (2) or (3) involving any action described in ORS 260.665 (2)(d) to (f) or
 14 260.715 is a Class C felony.

15 (3) Violation of ORS 260.695 (5) is a Class A misdemeanor.

16 (4) Violation of ORS 247.171 [(6)] (7) is a Class C misdemeanor.

17 **SECTION 22a. ORS 247.019 is repealed.**

18
 19 **REPEAL OF OHA VOTER REGISTRATION**

20
 21 **SECTION 23.** ORS 247.002, as amended by section 3, chapter 492, Oregon Laws 2023, is
 22 amended to read:

23 247.002. As used in this chapter:

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

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

27 (3) “Registration card” means:

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

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

31 [(c) *An electronic record containing an individual’s legal name, age, residence and citizenship in-*
 32 *formation and electronic signature submitted to the Department of Transportation in the manner de-*
 33 *scribed in ORS 247.017; or]*

34 [(d) *An electronic record containing an individual’s legal name, age, residence and citizenship in-*
 35 *formation submitted to the Oregon Health Authority in the manner described in ORS 247.018.]*

36 **SECTION 24.** ORS 247.014, as amended by section 6, chapter 492, Oregon Laws 2023, is
 37 amended to read:

38 247.014. In implementing ORS 247.012, 247.017[, 247.018] and 247.171, the Department of Trans-
 39 portation [*and the Oregon Health Authority*] shall take steps reasonably necessary to allow transfer
 40 of voter registration information by electronic or magnetic medium.

41 **SECTION 25.** ORS 247.292, as amended by section 5, chapter 492, Oregon Laws 2023, is
 42 amended to read:

43 247.292. (1) A county clerk shall update the registration of an elector in the county upon re-
 44 ceiving **written** evidence from:

45 (a) The elector indicating a residence or mailing address that is different from the residence or

1 mailing address for the elector as contained in the records of the county clerk;

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

4 (c) The Secretary of State as provided in ORS [247.017, 247.018 or] 247.295.

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

9 (3) An elector is not disqualified from voting due to any error relating to an update of regis-
10 tration made under this section.

11 REPEAL OF ODOT VOTER REGISTRATION

12
13
14 **SECTION 26.** ORS 247.017 is amended to read:

15 247.017. [(1) *The Secretary of State shall by rule establish a schedule by which the Department of*
16 *Transportation shall provide to the secretary electronic records containing the legal name, age, resi-*
17 *dence and citizenship information for, and the electronic signature of, each person who meets quali-*
18 *fications identified by the secretary by rule.*]

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

23 [(a) *Decline being registered as an elector.*]

24 [(b) *Adopt a political party affiliation.*]

25 [(3) *If a person notified under subsection (2) of this section does not decline to be registered as an*
26 *elector within 21 calendar days after the Secretary of State or county clerk issues the notification, the*
27 *person's electronic record and electronic signature submitted under subsection (1) of this section will*
28 *constitute a completed registration card for the person for purposes of this chapter. The person shall*
29 *be registered to vote if the county clerk determines that the person is qualified to vote under Article*
30 *II, section 2, of the Oregon Constitution, and the person is not already registered to vote.*]

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

34 [(5) *In addition to providing electronic records to the Secretary of State under subsection (1) of this*
35 *section, the Department of Transportation may by rule develop, and require the availability or use of,*
36 *any form or application the department determines is necessary to ensure compliance with the voter*
37 *registration provisions of the National Voter Registration Act of 1993 (P.L. 103-31).*]

38 [(6) *The Secretary of State shall adopt rules required to implement subsections (1) to (4) of this*
39 *section.*]

40 **(1) The Department of Transportation shall make a voter registration card available to**
41 **any person at any office of the department where a license or renewal application is dis-**
42 **tributed or received.**

43 **(2) When a person who is at least 17 years of age applies for issuance or renewal of an**
44 **Oregon driver license, as defined in ORS 801.245, or issuance of a state identification card**
45 **under ORS 807.400 or submits a change of address application form at a department office**

1 where a driver license issuance or renewal application, state identification card application
 2 or change of address application is distributed or received, department personnel shall in-
 3 form the person that the person may register to vote at the department office. Department
 4 personnel shall ask the applicant whether the applicant is registered to vote at the
 5 applicant's current address and if the applicant is not, whether the applicant would like to
 6 register to vote at the department office.

7 (3) Each department office shall deliver in a timely manner any completed voter regis-
 8 tration card to the county clerk or elections officer of the county in which the office is lo-
 9 cated. The county clerk or elections officer of the county where the office is located shall
 10 forward the registration card to the county clerk or elections officer of the county in which
 11 the applicant resides. The county clerk or elections officer may reject any registration card
 12 in accordance with ORS 247.174. The Secretary of State shall determine by rule the time and
 13 manner any completed registration card is to be delivered to the appropriate county clerk
 14 or elections officer.

15 (4) The department shall develop a driver license issuance or renewal and voter regis-
 16 tration application procedure, a state identification card issuance and voter registration ap-
 17 plication procedure and a change of address and voter registration application procedure that
 18 allows an applicant for the issuance or renewal of a driver license, the issuance of a state
 19 identification card or a change of address to register to vote by providing the information
 20 required by ORS 247.171 and the information required for the issuance or renewal of a license
 21 or for issuance of a state identification card. The Secretary of State shall approve the voter
 22 registration portion of each application procedure and change of address procedure.

23 (5) The voter registration portion of an application described in subsection (4) of this
 24 section must comply with provisions of the National Voter Registration Act of 1993 (P.L.
 25 103-31).

26 (6) Information relating to the failure of an applicant under this section to sign the voter
 27 registration portion of an application for issuance or renewal of a driver license, issuance
 28 of a state identification card or for a change of address may not be used for other than voter
 29 registration purposes.

30 **SECTION 27.** ORS 247.302 is amended to read:

31 247.302. (1) The effective date of a voter registration updated under ORS 247.292 is the date on
 32 which the county clerk receives **written** evidence of the change of residence or mailing address.

33 (2) The effective date of a voter registration updated under ORS 247.296 is the date on which
 34 the county clerk changes the address information on the voter registration file.

35 **SECTION 28.** A qualified person may register to vote at an office of the Department of
 36 Transportation as provided in ORS 247.017.

37 38 RECEIPT OF BALLOTS

39
40 **SECTION 29.** ORS 253.070 is amended to read:

41 253.070. [(1) Upon receipt of a ballot the absent elector shall mark it and comply with the in-
 42 structions provided with the ballot. The absent elector may return the marked ballot to the office of the
 43 clerk, by any appropriate means.]

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

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

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

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

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

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

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

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

15 *[(6) As used in this section, "postal indicator" has the meaning given that term in ORS 254.470.]*

16 **A ballot from an absent elector must be received by a county clerk not later than 8 p.m.**
 17 **on the day of the election.**

18 **SECTION 30.** ORS 254.485, as amended by section 3, chapter 56, Oregon Laws 2024, is amended
 19 to read:

20 254.485. (1) Ballots may be tallied by a vote tally system or by a counting board. A counting
 21 board may tally ballots at the precinct or in the office of the county clerk. In any event, the ballots
 22 shall be tallied and returned by precinct.

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

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

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

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

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

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

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

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

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

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

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

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

44 **SECTION 31.** ORS 253.690 is amended to read:

45 253.690. (1) A military or overseas elector described in ORS 253.510 may cast a ballot using a

1 facsimile machine or by electronic mail as provided in this section. Notwithstanding ORS 254.470
 2 [(10)] (8), a ballot cast under this section shall be counted only if the ballot:

- 3 (a) Is received in the office of the county clerk not later than 8 p.m. on the day of the election;
- 4 (b) Is accompanied by a return identification envelope containing the signature of the elector
 5 and a signed waiver described in subsection (2) of this section; and
- 6 (c) The signature is verified as provided in subsection (4) of this section.

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

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

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

15 _____
 16
 17 I, _____, acknowledge that by casting my voted ballot using a facsimile machine or by
 18 electronic mail I have waived my right to a secret ballot.
 19 _____

20
 21 (c) A statement to notify the elector that the elector’s ballot will not be counted unless the
 22 elector has complied with the provisions of this section.

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

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

26 (b) If a ballot is cast under this section by electronic mail, the return identification envelope
 27 and waiver shall also be submitted by electronic mail.

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

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

35 **SECTION 32.** ORS 253.585 is amended to read:

36 253.585. (1) The Secretary of State may receive ballots from military or overseas electors.

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

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

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

44 [(b) The ballot:]

45 [(A) Has a postal indicator showing that the ballot was mailed not later than the date of the

1 *election; and]*

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

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

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

8 **SECTION 33.** ORS 254.458 is amended to read:

9 254.458. (1) Notwithstanding any provision of ORS 254.470:

10 (a) A county clerk may apply to the Secretary of State for approval of any procedure to be used
11 in lieu of the secrecy envelope procedures described in ORS 254.470; and

12 (b) Upon receiving an application under paragraph (a) of this subsection, the secretary may ap-
13 prove a procedure to be used in lieu of the secrecy envelope procedures described in ORS 254.470
14 if the secretary determines that the procedure will provide substantially the same degree of secrecy
15 as ORS 254.470.

16 (2) A procedure approved by the secretary under this section must comply with the prohibitions
17 set forth in ORS 254.470 [(13)] (11).

18 **SECTION 34.** ORS 247.018, 247.275, 247.281 and 254.458 and section 9, chapter 492, Oregon
19 **Laws 2023, are repealed.**

20 **SECTION 35.** 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 36.** (1) Section 18 of this 2025 Act, the amendments to ORS 247.012, 247.025,
24 247.171 and 260.993 by sections 19 to 22 of this 2025 Act and the repeal of ORS 247.019 by
25 section 22a of this 2025 Act become operative on January 1, 2026.

26 (2) Section 6 of this 2025 Act first applies to not-for-profit corporations that directly re-
27 ceive moneys from the state during the 2025-2027 biennium.

28 (3) Section 18 of this 2025 Act applies to persons who register to vote in this state on or
29 after the operative date specified in subsection (1) of this section.

30 (4) The amendments to ORS 247.171 by section 19 of this 2025 Act apply to voter regis-
31 tration cards designed, prepared or distributed on or after the operative date specified in
32 subsection (1) of this section and to persons who register to vote in this state on or after
33 the operative date specified in subsection (1) of this section.

34 (5) The amendments to ORS 247.012 by section 20 of this 2025 Act apply to voter regis-
35 tration cards received, delivered or completed on or after the operative date specified in
36 subsection (1) of this section.

37 (6) The amendments to ORS 253.065, 253.070, 253.585, 253.690, 254.408, 254.458, 254.470,
38 254.485 and 260.695 by sections 10, 11, 14, 15 and 29 to 33 of this 2025 Act apply to elections
39 held on or after January 1, 2026.

40 **SECTION 37.** This 2025 Act being necessary for the immediate preservation of the public
41 peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect
42 on its passage.

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