

# Senate Bill 1053

Sponsored by Senator BONHAM

## 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 says that county clerks must permit certain people to observe ballot counts. The Act requires that those people must be allowed to watch certain procedures. (Flesch Readability Score: 70.9).

Requires each county clerk to permit authorized persons to observe the receiving and counting of votes. Requires that, at a minimum, authorized persons must be permitted to observe any signature verification procedure.

## A BILL FOR AN ACT

1  
2 Relating to persons authorized to observe vote tallying; amending ORS 254.482 and 254.485.

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

4 **SECTION 1.** ORS 254.482 is amended to read:

5 254.482. (1) After the date that ballots are mailed as provided in ORS 254.470, the county  
6 clerk[, *if requested,*] shall permit authorized persons to be at the office of the county clerk to  
7 [*watch*] **observe** the receiving and counting of votes. The authorization shall be in writing, shall be  
8 signed by an officer or its county affiliate of a political party, a candidate or the county clerk and  
9 shall be filed with the county clerk. The county clerk shall permit only so many persons as  
10 [*watchers*] **observers** under this section as will not interfere with an orderly procedure at the office  
11 of the county clerk.

12 (2) **At minimum, persons authorized under subsection (1) of this section must be per-**  
13 **mitted to observe any signature verification procedure.**

14 **SECTION 2.** ORS 254.485, as amended by section 3, chapter 56, Oregon Laws 2024, is amended  
15 to read:

16 254.485. (1) Ballots may be tallied by a vote tally system or by a counting board. A counting  
17 board may tally ballots at the precinct or in the office of the county clerk. In any event, the ballots  
18 shall be tallied and returned by precinct.

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

21 (3)(a) If ballots are tallied by a counting board, after the tally has begun it shall continue until  
22 completed. Except as provided in paragraph (b) of this subsection, a counting board shall tally  
23 without adjournment and in the presence of the clerks and persons authorized to attend **under ORS**  
24 **254.482.**

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

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

**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 (5) For ballots cast using a voting machine, the county clerk shall:  
2 (a) Enter the ballots cast using the machine into the vote tally system; and  
3 (b) In the event of a recount, provide the paper record copy recorded by the machine to the  
4 counting board.
- 5 (6) A person other than the county clerk, a member of a counting board or any other elections  
6 official designated by the county clerk may not tally ballots under this chapter.
- 7 (7) The Secretary of State shall by rule establish a procedure for announcing the status of the  
8 tally of the ballots received after the date of the election. Rules adopted under this subsection must:  
9 (a) Consider the number of ballots being released in relation to the size of the district;  
10 (b) Prioritize voter anonymity; and  
11 (c) After prioritizing voter anonymity under paragraph (b) of this subsection, prioritize the im-  
12 portance of timely reporting election results.  
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