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Background Brief on ...

# Voting in Oregon

## Vote-by-Mail in Oregon

Vote-by-mail is an election method whereby voters receive and return their ballots through the mail. This process replaces traditional polling place elections. Oregon's experience with vote-by-mail began when the 1981 Legislative Assembly first authorized counties to conduct certain elections by mail. State laws passed since that time have broadened vote-by-mail, and in the 1998 general election, Oregon voters approved an initiative requiring vote-by-mail in all biennial primary and general elections, making Oregon the first state to go to a completely vote-by-mail system. During the 2000 general election, Oregon was the first state in U.S. history to determine its electoral votes for president entirely by mail.

## The Vote-by-Mail Process

For state elections, counties must mail ballot packets to all active registered voters between the 18<sup>th</sup> and the 14<sup>th</sup> day before an election. The packet includes the ballot, a secrecy envelope, and a pre-addressed return envelope. The voter marks the ballot and places it in the secrecy envelope that, in turn, is placed into the return envelope. The voter must then sign the return envelope for the ballot to be counted. The voter can then either put a stamp on the envelope and mail it or take it to a drop site designated by the County Clerk's Office within the county.

Ballots must be received by the county, either through the mail or at a drop-off site within the county, by 8:00 p.m. on the day of the election. The date on the postmark does not count. Elections officials verify the signature on the return envelope from each voter by matching it against the voter registration card signature on file with each county. County elections offices may begin scanning ballots into a vote tally system up to seven days

before election day in accordance with a security plan approved by the Secretary of State. Election officials will not release preliminary results until after 8:00 p.m. on election day.

In 2011, Washington State became the second state in the nation to adopt legislation that moved electoral process to an entirely vote-by-mail system. The vote-by-mail system in Washington is similar to the system in Oregon with one exception: a ballot will be counted provided it is postmarked no later than Election Day.

### **Help America Vote Act (HAVA) of 2002**

The Help America Vote Act was approved by Congress in October 2002 to make reforms to the nation's voting process. The HAVA requires all states to upgrade voting equipment, make voting more accessible, provide better voter education, and reduce fraud through the implementation of a central voter registration system developed and managed by each state's Chief Election Official. It includes provisions for replacement of punch card and lever voting systems, creation of centralized voter registration databases, new voter identification requirements, and access for people with disabilities and enhanced voter outreach.

### **Military and Overseas Voter Empowerment (MOVE) Act**

The MOVE Act is federal legislation enacted in 1986 to protect the right of service members to vote in federal elections regardless of where they are stationed. The law requires that states and territories allow members of the United States Uniformed Services and merchant marines, their family members and U.S. citizens residing outside the U.S. to register and vote absentee in elections for federal offices.

As part of compliance with the MOVE Act, the Oregon Legislature adopted legislation in 2009 and 2011 to remove barriers to electoral participation by overseas military and overseas voters. The legislation allows military and overseas voters to return their ballot via fax or to

return a .pdf scanned copy of their ballot via email to the county elections office.

In addition, the Secretary of State's Election Division added the "My Vote" search function on its webpage to allow any registered Oregon voter to track their ballot from anywhere in the world. This enables military and overseas voters to track the date their ballot was mailed; the mailing address; and the date when it was received at the county elections office.

### **Oregon Centralized Voter Registration**

In accordance with HAVA, the Secretary of State's office established and maintains a statewide voter registration list through the Oregon Centralized Voter Registration (OCVR) system. The OCVR is a single, centralized, interactive, and official database system with the names and addresses of Oregon's registered voters. The system includes management functions such as signature verification and ballot preparation that are necessary for a county to conduct a vote-by-mail election, and for state and local governments to validate signatures on petitions. In addition, OCVR includes the name, address, identification number, political affiliation, and voting history.

The election management functions of the system are accessible only to particular state and county personnel. The Secretary's Elections Division and the county clerks grant and manage access to the system to ensure the security of voter data. Any changes to an individual voter record are recorded in an audit trail that is available to system administrators. Governance of the system includes a Change Control Board, which is composed of 12 county and state personnel. The board advises the Secretary on prioritizing enhancements or changes to the system.

Prior to the establishment of OCVR, Oregon's 36 counties were responsible for the collection and storage of voter registration information. Each county stored the data differently and there was no way to aggregate voter information at the state level.

## **Online Voter Registration System**

On March 1, 2010, Oregon became the fourth state in the nation to provide online voter registration. The online system should decrease the administrative costs and improve voters access, particularly the housebound, elderly and out-of-state members of the military.

Oregonians, who are at least 17 years of age, have a valid Oregon driver's license, permit or identification card, can register to vote online at: <http://oregonvotes.org/>. For those who register online, the signatures on their driver's licenses, permits or ID cards will serve as the signatures for voter registration cards. Those signatures will be checked to validate mail ballots in elections.

In addition, voters can change their address or political party affiliation online.

As with paper registrations, online registrations will require voters to declare themselves U.S. citizens. Lying on the registration form is a felony, punishable by five years in prison, a \$125,000 fine and deportation for undocumented immigrants.

## **Staff and Agency Contacts**

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## **Additional Resources:**

[Help America Vote Act of 2002](#)

[Oregon Central Voter Registration](#)

[Vote-by-Mail Information](#)

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