

# House Bill 3222

Sponsored by Representative KOMP; Representatives BERGER, GIROD, RILEY

## 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**.

Directs county clerk, upon request, to deliver list of active electors in county to candidate for office listed on ballot in county. Deletes provisions allowing political parties and other persons to receive list of electors from county clerk. Prohibits other disclosures of list of active electors.

## A BILL FOR AN ACT

1  
2 Relating to lists of electors; amending ORS 247.940, 247.955 and 247.965; and repealing ORS 247.945.

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

4 **SECTION 1.** ORS 247.940 is amended to read:

5 247.940. (1) Not later than the 21st day before any primary election, general election or special  
6 congressional election, a [*major political party qualified under ORS 248.006 or its affiliate within the*  
7 *county or a minor political party qualified under ORS 248.008*] **candidate for an office to be listed**  
8 **on the ballot in the county at the election** may request from the county clerk a list of active  
9 electors, as described in ORS 247.013, of the county. The list shall contain the name, party affil-  
10 iation, residence or mailing address and precinct name or number of each active elector and shall  
11 be arranged in groups by election precinct. A [*major political party or its affiliate within the county*  
12 *or a minor political party*] **candidate** may make no more than two separate requests under this  
13 subsection.

14 (2) If the county clerk receives a request under subsection (1) of this section, the clerk shall  
15 deliver the list not later than:

16 (a) Ten days after receiving the request; or

17 (b) The date requested, provided that the date requested is more than 10 days after the request  
18 was made and at least 10 days before the date of any primary election, general election or special  
19 congressional election.

20 (3) The county clerk [*shall*] **may** not charge for preparation or delivery of the list supplied under  
21 this section.

22 (4) **Except as provided in subsection (1) of this section, the county clerk may not disclose**  
23 **a list of active electors of the county.**

24 **SECTION 2.** ORS 247.955 is amended to read:

25 247.955. (1) Except as provided in subsection (2) of this section, [*no person to whom a list of*  
26 *electors is made available or supplied under ORS 247.940 or 247.945 shall use any information in the*  
27 *list for commercial purposes*] **a person may not use for commercial purposes any information**  
28 **contained in a list of electors delivered under ORS 247.940.**

29 (2) A person [*shall not be*] **is not** considered to use for commercial purposes any information  
30 contained in a list of electors [*made available or supplied*] **delivered** under ORS 247.940 [*or*  
31 *247.945*] if the person obtains the list of electors for the purposes of resale to candidates or political

**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 committees for political purposes only.

2 **SECTION 3.** ORS 247.965 is amended to read:

3 247.965. (1) Any elector may request the county clerk to keep the residence address of the  
4 elector exempt from disclosure as a public record under ORS 192.410 to 192.505.

5 (2) The county clerk shall keep the residence address of an elector exempt from disclosure as  
6 a public record under ORS 192.410 to 192.505 if the elector making the request demonstrates to the  
7 satisfaction of the county clerk that the elector's personal safety or the safety of any family member  
8 residing with the elector is in danger if the elector's address remains available for public inspection.

9 (3) The county clerk shall automatically mail a ballot to an elector whose residence address is  
10 exempt from disclosure under this section.

11 (4) An exemption from disclosure granted under this section shall remain in effect until the  
12 elector requests termination of the exemption or the elector is required to update the elector's  
13 registration. If the elector is required to update the elector's registration, the elector may apply for  
14 another exemption from disclosure.

15 (5) An exemption from disclosure granted under this section includes an exemption from disclo-  
16 sure of the residence address of an elector under ORS 247.940 [*or 247.945*].

17 (6) A county clerk [*shall*] **may** not be held liable for:

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

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

21 **SECTION 4. ORS 247.945 is repealed.**

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