

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

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Action: Do Pass the A-Engrossed Measure

Vote: 3 - 2 - 0

Yeas: Burdick, Metsger, Devlin

Nays: Atkinson, Ferrioli

Exc.: -

Prepared By: Erin Seiler, Administrator

Meeting Dates: 5/29

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**WHAT THE MEASURE DOES:** Allows county clerk to electronically scan ballots into a vote tally system no sooner than the seventh day before the date of an election in accordance with security plan approved by Secretary of State. Requires county clerk to add security procedures to county elections security plan for electronically scanning ballots before the date of an election. Requires county clerk to conduct multiple public certification tests. Prohibits electronic scan of ballots prior to date of election unless Secretary of State reviews and approves security plan.

**ISSUES DISCUSSED:**

- Ballot processing procedures
- Safeguards to prevent early release of election results
- Reduction of election costs for counties
- Increase in accuracy and timeliness of election results

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** ORS 254.478 allows county clerks to prepare ballots for counting, by opening return identification and secrecy envelopes of ballots delivered by mail, no sooner than the seventh day before the date of an election. Further, the county clerk may take any other actions that are necessary to allow the counting of ballots delivered by mail to begin on Election Day, but scanning of ballots prior to 8:00 p.m. on Election Day is not permitted.

Voter turnout in Oregon has steadily increased over the past several decades, culminating in record participation for the 2004 and 2008 Presidential elections. According to county clerks, elections offices, particularly in larger counties, are being overwhelmed with ballots on Election Day. An increase in voter turnout has delayed ballot tabulation, decreased time available for vote validation, and prohibited the timely release of official election results.

House Bill 3451-A would allow county elections officials to begin scanning ballots into an approved vote tally system no sooner than the seventh day before the date of an election. The option to implement earlier ballot scanning practices would be available only to those counties with an approved elections security plan that implements protocol to prevent the early release of election results.