

B-Engrossed
House Bill 2386

Ordered by the Senate May 20
Including House Amendments dated March 17 and Senate Amendments
dated May 20

Sponsored by Representatives CANNON, J SMITH, Senator DEVLIN; Representatives DEMBROW, ESQUIVEL
(Presession filed.)

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.

Directs Secretary of State to adopt electronic voter registration system. Allows qualified person to complete registration card electronically. Requires Department of Transportation to provide Secretary of State with digital copy of driver license, **driver permit** or state identification card signature of each person who registers electronically.

Becomes operative on [*January*] **March 1**, 2010.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to voter registration; creating new provisions; amending ORS 247.012; and declaring an
3 emergency.

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

5 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 247.**

6 **SECTION 2. (1) The Secretary of State by rule shall adopt an electronic voter registration
7 system to be used by qualified persons who have a valid:**

8 **(a) Oregon driver license, as defined in ORS 801.245;**

9 **(b) Oregon driver permit, as defined in ORS 801.250; or**

10 **(c) State identification card, issued under ORS 807.400.**

11 **(2) The electronic voter registration system shall allow a qualified person to complete and
12 deliver a registration card electronically. A registration card delivered under this section is
13 considered delivered to the Secretary of State for purposes of this chapter.**

14 **(3) A person who completes a registration card electronically under this section consents
15 to the use of the person's driver license, driver permit or state identification card signature
16 for voter registration purposes.**

17 **(4) The Department of Transportation shall provide to the Secretary of State a digital
18 copy of the driver license, driver permit or state identification card signature of each person
19 who completes a registration card under this section.**

20 **SECTION 3. ORS 247.012, as amended by section 1, chapter 53, Oregon Laws 2008, is amended
21 to read:**

22 247.012. (1) A qualified person may register to vote or update a registration to vote by:

23 (a) Delivering by mail or otherwise a completed registration card to any county clerk, the Sec-
24 retary of State, any office of the Department of Transportation or any designated voter registration
25 agency as described in ORS 247.208;

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 (b) Personally delivering the card to an official designated by a county clerk under subsection
2 (7) of this section; [or]

3 (c) Completing the voter registration portion of the application for issuance or renewal of a
4 driver license, issuance of a state identification card under ORS 807.400 or a change of address at
5 an office of the Department of Transportation under ORS 247.017[.]; or

6 **(d) Completing a registration card using the electronic voter registration system de-**
7 **scribed in section 2 of this 2009 Act.**

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

9 (a) Any person other than a county clerk or the Secretary of State, the person shall forward the
10 card to a county clerk or the Secretary of State not later than the fifth day after receiving the card;
11 or

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

16 (3) Registration of a qualified person occurs:

17 (a) When a legible, accurate and complete registration card is received in the office of any
18 county clerk, the Office of the Secretary of State, an office of the Department of Transportation, a
19 designated voter registration agency under ORS 247.208 or at a location designated by a county
20 clerk under subsection (7) of this section;

21 (b) On the date a registration card is postmarked if the card is received after the 21st day im-
22 mediately preceding an election but is postmarked not later than the 21st day immediately preceding
23 the election and is addressed to an office of any county clerk, the Office of the Secretary of State,
24 an office of the Department of Transportation or any designated voter registration agency as de-
25 scribed in ORS 247.208; or

26 (c) In the case of a registration card missing a date of birth, containing an incomplete date of
27 birth or containing an unintentional scrivener's error that is supplied or corrected as described in
28 subsection (4) or (6) of this section, on the date that registration would have occurred if the regis-
29 tration card had not been missing the date of birth, contained an incomplete date of birth or con-
30 tained the scrivener's error.

31 (4) If a registration card is legible, accurate and contains, at a minimum, the registrant's name,
32 residence address, date of birth and signature, the county clerk shall register the person. If this
33 information is missing from the registration card or the date of birth is incomplete, the county clerk
34 shall attempt to contact the person to obtain the missing or incomplete information. The county
35 clerk may supply the registrant's date of birth from any previous registration of the registrant.

36 (5) If a registration card meets the requirements of subsection (4) of this section but is missing
37 an indication of political party affiliation, the registrant shall be considered not affiliated with any
38 political party. This subsection does not apply if an elector is updating a registration within the
39 same county.

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

42 (7) A county clerk may appoint officials to accept registration of persons at designated locations.
43 The appointments and locations shall be in writing and filed in the office of the county clerk. The
44 county clerk shall be responsible for the performance of duties by those appointed.

45 (8) A registration card received and accepted under this section shall be considered an active

1 registration.

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

3 **SECTION 4. Section 2 of this 2009 Act and the amendments to ORS 247.012 by section 3**
4 **of this 2009 Act become operative on March 1, 2010.**

5 **SECTION 5. The Secretary of State and the Department of Transportation may take any**
6 **action before March 1, 2010, that is necessary to enable the secretary and department to**
7 **exercise, on and after March 1, 2010, all the duties, functions and powers conferred on the**
8 **secretary and department by section 2 of this 2009 Act and the amendments to ORS 247.012**
9 **by section 3 of this 2009 Act.**

10 **SECTION 6. This 2009 Act being necessary for the immediate preservation of the public**
11 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
12 **on its passage.**

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