

Enrolled House Bill 2386

Sponsored by Representatives CANNON, J SMITH, Senator DEVLIN; Representatives DEMBROW, ESQUIVEL, Senator MORRISETTE (Pre-session filed.)

CHAPTER

AN ACT

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

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

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

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

- (a) Oregon driver license, as defined in ORS 801.245;
- (b) Oregon driver permit, as defined in ORS 801.250; or
- (c) State identification card, issued under ORS 807.400.

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

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

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

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

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

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

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

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

(d) Completing a registration card using the electronic voter registration system described in section 2 of this 2009 Act.

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

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

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

(3) Registration of a qualified person occurs:

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

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

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

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

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

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

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

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

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

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

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

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

Passed by House March 20, 2009

Repassed by House June 23, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate June 22, 2009

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President of Senate

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State