

**REVENUE:** No revenue impact

**FISCAL:** No fiscal impact

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	3 - 0 - 2
<b>Yeas:</b>	Burdick, Metsger, Devlin
<b>Nays:</b>	-
<b>Exc.:</b>	Atkinson, Ferrioli
<b>Prepared By:</b>	Erin Seiler, Administrator
<b>Meeting Dates:</b>	2/16

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**WHAT THE MEASURE DOES:** Requires sample or imitation ballot and back of any return envelope enclosed with the ballot to specify that ballot is not real ballot and cannot be used to vote. Allows Secretary of State or Attorney General to impose civil penalty not to exceed \$10,000 for each violation of ORS 260.695. Declares emergency; effective upon passage.

**ISSUES DISCUSSED:**

- Applicability to state and local elections
- Providing greater clarity and objectivity in election statutes
- Form and content of sample ballot
- Effect on an organizations ability to conduct polling
- Maximizing voter participation and preventing voter suppression

**EFFECT OF COMMITTEE AMENDMENT:** Changes formatting specifications of sample or imitation ballot. Requires sample or imitation ballot and back of any return envelope enclosed with the ballot to contain the statement: "THIS IS NOT A REAL BALLOT. DO NOT USE TO VOTE." Requires that statement be in bold type that is either 20-point type, or type that is at least two times as large as the majority of the text on the ballot, whichever type is larger. Requires that statement on back of return envelope be printed in at least 36-point bold type.

**BACKGROUND:** ORS 260.695 prohibits persons from circulating imitation or sample ballots that contain information that either will not appear or will remove information from an official ballot or sample ballot, unless the sample or imitation ballot contains the statement in bold type "NOT FOR OFFICIAL USE." Currently, the Secretary of State or Attorney General may impose a civil penalty not to exceed \$250 for each violation of ORS 260.695.

Senate Bill 1062A amends ORS 260.695 to require a sample or imitation ballot and the back of any return envelope enclosed with the ballot to have the statement: "THIS IS NOT A REAL BALLOT. DO NOT USE TO VOTE." The statement must be in bold type that is either 20-point type, or type that is at least two times as large as the majority of the text on the ballot, whichever type is larger. The statement on the back of the envelope must be printed in at least 36-point bold type.

In addition, Senate Bill 1062A allows the Secretary of State or the Attorney General to impose a civil penalty not to exceed \$10,000 for each violation of ORS 260.695.