

HOUSE AMENDMENTS TO HOUSE BILL 3074

By COMMITTEE ON RULES

April 6

1 In line 2 of the printed bill, after the semicolon insert “creating new provisions; amending ORS
2 253.690;”.

3 Delete lines 4 through 17 and insert:

4 “**SECTION 1.** ORS 253.690, as amended by section 5, chapter 9, Oregon Laws 2010, is amended
5 to read:

6 “253.690. (1) A long term absent elector described in ORS 253.510 may cast a ballot using a
7 facsimile machine **or by electronic mail** as provided in this section. Notwithstanding ORS 254.470
8 (8), a ballot cast under this section shall be counted only if the ballot:

9 “(a) Is received in the office of the county clerk not later than 8 p.m. on the day of the election;

10 “(b) Is accompanied by a return identification envelope containing the signature of the elector
11 and a signed waiver described in subsection (2) of this section; and

12 “(c) The signature is verified as provided in subsection [(3)] (4) of this section.

13 “(2) Each elector who casts a ballot under this section shall complete and submit [*using a fac-*
14 *simile machine*] a waiver described in this subsection. The elector shall attest to the information
15 supplied on the waiver by signing the completed waiver. The Secretary of State by rule shall design
16 the form of the waiver, which shall include all of the following:

17 “(a) Space for the elector to provide the elector’s full name, residence or mailing address, **an**
18 **electronic mail address**, [a] phone or facsimile number where the elector may be contacted and
19 any other necessary information.

20 “(b) A waiver in substantially the following form:

21 “ _____

22
23 I, _____, acknowledge that by casting my voted ballot using a facsimile machine **or by**
24 **electronic mail** I have waived my right to a secret ballot.

25 “ _____

26
27 “(c) A statement to notify the elector that the elector’s ballot will not be counted unless the
28 elector has complied with the provisions of this section.

29 “(d) Space for the elector to provide the elector’s signature to attest to the information supplied.

30 “(3)(a) **If a ballot is cast under this section using a facsimile machine, the return iden-**
31 **tification envelope and waiver shall also be submitted using a facsimile machine.**

32 “(b) **If a ballot is cast under this section by electronic mail, the return identification**
33 **envelope and waiver shall also be submitted by electronic mail.**

34 “[3] (4) The county clerk shall verify the signature of each elector on the return identification
35 envelope transmitted by facsimile machine **or electronic mail** under this section with the signature

1 on the elector's registration card, according to the procedure provided by rules adopted by the
2 Secretary of State.

3 “[(4)] (5) The Secretary of State shall adopt rules to administer this section and to ensure the
4 secrecy of ballots cast using a facsimile machine or by **electronic mail** to the greatest extent pos-
5 sible.

6 **“SECTION 2. The Secretary of State or the county clerk may take any action before**
7 **January 1, 2012, that is necessary to enable the secretary or clerk to exercise, on and after**
8 **January 1, 2012, all the duties, functions and powers conferred on the secretary or the clerk**
9 **by the amendments to ORS 253.690 by section 1 of this 2011 Act.**

10 **“SECTION 3. The amendments to ORS 253.690 by section 1 of this 2011 Act become op-**
11 **erative on January 1, 2012.**

12 **“SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**
13 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
14 **on its passage.”.**

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