

House Bill 3365

Sponsored by Representative THATCHER

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 **as introduced**.

Requires acceptable evidence of residency for persons registering to vote in this state for first time. Specifies when registration of qualified person occurs.

Becomes operative January 1, 2012.

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 2011 Act is added to and made a part of ORS chapter 247.**

6 **SECTION 2. (1) A person registering to vote in this state for the first time shall supply
7 acceptable evidence of residency with the person's completed:**

8 (a) **Voter registration card; or**

9 (b) **Voter registration portion of the application for issuance or renewal of a driver li-
10 cense, issuance of a state identification card under ORS 807.400 or a change of address at
11 an office of the Department of Transportation under ORS 247.017.**

12 (2) **Acceptable evidence of residency includes:**

13 (a) **A valid driver license or state identification card.**

14 (b) **If the person does not have a valid driver license or state identification card, the last
15 four digits of the person's social security number.**

16 (c) **If the person does not have any acceptable evidence of residency listed under para-
17 graphs (a) and (b) of this subsection, a copy of one of the following documents:**

18 (A) **Valid photo identification.**

19 (B) **A paycheck stub.**

20 (C) **A utility bill.**

21 (D) **A bank statement.**

22 (E) **A government document.**

23 **SECTION 3. ORS 247.012 is amended to read:**

24 247.012. (1) A qualified person may register to vote or update a registration to vote by:

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

28 (b) Personally delivering the card to an official designated by a county clerk under subsection
29 [(7)] (8) of this section;

30 (c) Completing the voter registration portion of the application for issuance or renewal of a

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 driver license, issuance of a state identification card under ORS 807.400 or a change of address at
 2 an office of the Department of Transportation under ORS 247.017; or

3 (d) Completing a registration card using the electronic voter registration system described in
 4 ORS 247.019.

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

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

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

13 *[(3) Registration of a qualified person occurs:]*

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

18 *[(b) On the date a registration card is postmarked if the card is received after the 21st day imme-
 19 diately preceding an election but is postmarked not later than the 21st day immediately preceding the
 20 election and is addressed to an office of any county clerk, the Office of the Secretary of State, an office
 21 of the Department of Transportation or any designated voter registration agency as described in ORS
 22 247.208; or]*

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

28 **(3) The county clerk for the county in which the person resides shall register the person
 29 if:**

30 **[(4)] (a)** Except as provided in ORS 247.125, **[if a] the person's** registration card is legible, ac-
 31 curate and contains, at a minimum, the registrant's name, residence address, date of birth and
 32 signature**[, the county clerk shall register the person.]; and**

33 **(b) For a person registering to vote in this state for the first time, the person's regis-
 34 tration card is accompanied by acceptable evidence of residency listed under section 2 (2) of
 35 this 2011 Act.**

36 **(4)** If **[this] information or evidence of residency required under subsection (3) of this sec-**
 37 **tion** is **[missing from the registration card] not supplied** or the date of birth is incomplete, the
 38 county clerk shall attempt to contact the person to obtain the **[missing or incomplete]** information
 39 **or evidence**. The county clerk may supply the registrant's date of birth from any previous regis-
 40 tration of the registrant.

41 **(5) The county clerk shall mail a written notice to each person who has attempted to
 42 register to vote in this state for the first time under this section. The notice must indicate
 43 whether the person is registered and shall be mailed not later than seven business days after
 44 the county clerk receives registration materials under subsection (1) or (2) of this section.
 45 The registration of a qualified person occurs on the date that the county clerk mails the**

1 **notice confirming the registration of the person.**

2 [(5)] (6) If a registration card meets the requirements of subsection [(4)] (3) of this section but
 3 is missing an indication of political party affiliation, the registrant *[shall be]* **is** considered not af-
 4 filiated with any political party. This subsection does not apply if an elector is updating a registra-
 5 tion within the same county.

6 [(6)] (7) If a registration card contains an unintentional scrivener’s error, the county clerk may
 7 attempt to contact the person to correct the error.

8 [(7)] (8) A county clerk may appoint officials to accept registration of persons at designated lo-
 9 cations. The appointments and locations *[shall]* **must** be in writing and filed in the office of the
 10 county clerk. The county clerk *[shall be]* **is** responsible for the performance of duties by those ap-
 11 pointed.

12 [(8)] (9) A registration *[card received and accepted]* **that occurs** under this section *[shall be]* **is**
 13 considered an active registration.

14 [(9)] (10) A registration may be updated at any time.

15 **SECTION 4. (1) Section 2 of this 2011 Act applies only to persons who register to vote in**
 16 **this state for the first time on or after the operative date of section 2 of this 2011 Act.**

17 **(2) The amendments to ORS 247.012 by section 3 of this 2011 Act apply only to voter**
 18 **registration cards received, delivered or completed on or after the operative date of the**
 19 **amendments to ORS 247.012 by section 3 of this 2011 Act.**

20 **SECTION 5. (1) Except as provided in subsection (2) of this section, section 2 of this 2011**
 21 **Act and the amendments to ORS 247.012 by section 3 of this 2011 Act become operative on**
 22 **January 1, 2012.**

23 **(2) The Secretary of State and any county clerk or county official in charge of elections**
 24 **may take any action under section 2 of this 2011 Act and ORS 247.012, as amended by section**
 25 **3 of this 2011 Act, prior to the operative date specified in subsection (1) of this section that**
 26 **is necessary to enable the Secretary of State and any county clerk or county official in**
 27 **charge of elections to exercise, on and after the operative date specified in subsection (1) of**
 28 **this section, all the duties, functions and powers conferred on the Secretary of State and any**
 29 **county clerk or county official in charge of elections by section 2 of this 2011 Act and the**
 30 **amendments to ORS 247.012 by section 3 of this 2011 Act.**

31 **SECTION 6. This 2011 Act being necessary for the immediate preservation of the public**
 32 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
 33 **on its passage.**

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