

Senate Bill 837

Sponsored by Senator FERRIOLI

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**.

Prohibits handling of ballot of elector unless person is elections official, employee of United States Postal Service or relative of elector.

A BILL FOR AN ACT

1
2 Relating to handling of ballots; amending ORS 260.695.

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

4 **SECTION 1.** ORS 260.695, as amended by section 1, chapter 35, Oregon Laws 2010, is amended
5 to read:

6 260.695. (1)(a) If a person prints or circulates an imitation of the ballot or sample ballot:

7 (A) The imitation ballot or sample ballot and the back of any return envelope enclosed with the
8 ballot or sample ballot shall state the following: "THIS IS NOT A REAL BALLOT. DO NOT USE
9 TO VOTE." The statement on the imitation ballot or sample ballot shall be in bold print that is at
10 least two times as large as the majority of the text on the ballot or sample ballot or 20-point type,
11 whichever is larger. The statement on the back of a return envelope shall be in bold print that is
12 at least 36-point type.

13 (B) The word "UNOFFICIAL" must be superimposed on the imitation ballot or sample ballot so
14 that the word extends diagonally across the ballot from one margin of the text to the other. The
15 superimposed word may be printed in lighter ink than other text on the ballot or sample ballot.

16 (b) For purposes of this subsection, an imitation of the ballot or sample ballot includes an imi-
17 tation of a portion of the ballot or sample ballot.

18 (2) A person may not do any electioneering, including circulating any cards or handbills, or so-
19 liciting of signatures to any petition, within any building in which any state or local government
20 elections office designated for the deposit of ballots under ORS 254.470 is located, or within 100 feet
21 measured radially from any entrance to the building. A person may not do any electioneering by
22 public address system located more than 100 feet from an entrance to the building if the person is
23 capable of being understood within 100 feet of the building. The electioneering need not relate to
24 the election being conducted. This subsection applies during the period beginning on the date that
25 ballots are mailed to electors as provided in ORS 254.470 and ending on election day at 8 p.m. or
26 when all persons waiting in line at the building who began the act of voting as described in ORS
27 254.470 (10) by 8 p.m. have finished voting.

28 (3) A person may not obstruct an entrance of a building in which ballots are issued or a place
29 designated for the deposit of ballots under ORS 254.470 or any voting booth maintained under ORS
30 254.474 is located. This subsection applies during the period beginning on the date that ballots are
31 mailed to electors as provided in ORS 254.470 and ending on election day at 8 p.m. or when all

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 persons waiting in line at the building or location who began the act of voting as described in ORS
2 254.470 (10) by 8 p.m. have finished voting.

3 (4) A person may not vote or offer to vote in any election knowing the person is not entitled
4 to vote.

5 (5) A person may not make a false statement about the person's inability to mark a ballot.

6 (6) A person, except an elections official in performance of duties or another person providing
7 assistance to an elector as described in ORS 254.445, may not ask a person at any place designated
8 for the deposit of ballots under ORS 254.470 or at any location described in ORS 254.472 or 254.474
9 for whom that person intends to vote, or examine or attempt to examine the person's ballot.

10 (7) A person may not show the person's own marked ballot to another person to reveal how it
11 was marked.

12 (8) An elections official, other than in the performance of duties, may not disclose to any person
13 any information by which it can be ascertained for whom any elector has voted.

14 (9) A person, except an elections official in performance of duties, may not do anything to a
15 ballot to permit identification of the person who voted.

16 (10) An elector may not willfully leave at any place designated for the deposit of ballots under
17 ORS 254.470 or at any location described in ORS 254.472 or 254.474 anything that will show how the
18 elector's ballot was marked.

19 (11) A person, except an elections official in performance of duties, may not remove a ballot
20 from any place designated for the deposit of ballots under ORS 254.470 or any location described in
21 ORS 254.472 or 254.474.

22 (12) A person, except an elections official in performance of duties or a person authorized by
23 that official, may not willfully deface, remove, alter or destroy a posted election notice.

24 (13) A person, except an elections official in performance of duties, may not willfully remove,
25 alter or destroy election equipment or supplies, or break the seal or open any sealed package con-
26 taining election supplies.

27 (14) A person, except an elections official in performance of duties, may not provide elections
28 advice or attempt to collect voted ballots within any building in which any state or local govern-
29 ment elections office designated for the deposit of ballots under ORS 254.470 is located, or within
30 100 feet measured radially from any entrance to the building.

31 (15) A person, except an elections official in performance of duties, may not establish a location
32 to collect ballots voted by electors. [*unless:*]

33 [*(a) The person prominently displays at the location a sign stating: "NOT AN OFFICIAL BAL-*
34 *LOT DROP SITE"; and]*

35 [*(b) The sign is printed in all capital letters in bold 50-point type.*]

36 **(16) A person may not handle the ballot of an elector unless the person is an elections**
37 **official or employee of the United States Postal Service in performance of duties, or a rela-**
38 **tive of the elector.**

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