

# D R A F T

## SUMMARY

Defines “qualified designated voter registration agency.” Directs qualified designated voter registration agencies to provide Secretary of State with age, residence and citizenship data and digital signature of each person who meets qualifications set by secretary by rule. Directs secretary to register to vote each nonregistered person who is qualified to vote and to notify persons how to cancel registration and how to adopt or change political party affiliation.

Increases maximum number of electors in precinct from 5,000 to 10,000.

Establishes July 1, 2013, as date for determination of total number of registered electors in this state for purpose of maintaining status as minor political party for 2014 general election.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to elections; creating new provisions; amending ORS 246.410,  
3 247.012, 247.017, 247.292 and 247.302; and declaring an emergency.

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

5 **SECTION 1. Section 2 of this 2013 Act is added to and made a part**  
6 **of ORS chapter 247.**

7 **SECTION 2. (1) For purposes of this section, “qualified designated**  
8 **voter registration agency” means a voter registration agency desig-**  
9 **nated under ORS 247.208 that:**

10 **(a) Records and stores digital copies of signatures;**

11 **(b) Collects age and residence data; and**

12 **(c) Processes citizenship documentation.**

13 **(2) Each qualified designated voter registration agency shall provide**  
14 **to the Secretary of State the age, residence and citizenship data for,**

1 and a digital copy of the signature of, each person who meets quali-  
2 fications set by the secretary by rule.

3 (3) Upon receiving the data for, and a digital copy of the signature  
4 of, a person described in subsection (2) of this section, the Secretary  
5 of State shall register the person to vote if the person is qualified to  
6 vote under Article II, section 2, of the Oregon Constitution, and is not  
7 already registered to vote.

8 (4) For purposes of this chapter, data submitted with a digital copy  
9 of a person's signature under this section constitutes a completed  
10 registration card upon receipt by the Secretary of State.

11 (5) The Secretary of State shall notify each person who is registered  
12 to vote under this section of the registration and of the process to:

13 (a) Cancel the registration; and

14 (b) Adopt or change political party affiliation.

15 (6) The Secretary of State may not send a ballot to, or add to public  
16 voter registration lists, a person who is registered to vote under this  
17 section until at least 14 calendar days after the secretary has provided  
18 notification to the person as described in subsection (5) of this section.

19 (7) The Secretary of State shall adopt rules required to implement  
20 this section.

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

22 247.012. (1) A qualified person may register to vote or update a registra-  
23 tion to vote by:

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

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

30 (c) Completing the voter registration portion of the application for issu-  
31 ance or renewal of a driver license, issuance of a state identification card

1 under ORS 807.400 or a change of address at an office of the Department of  
2 Transportation under ORS 247.017; [or]

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

5 **(e) Submitting age, residence and citizenship data and a signature**  
6 **to a qualified designated voter registration agency described in section**  
7 **2 of this 2013 Act.**

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

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

12 (b) The Secretary of State or a county clerk for a county other than the  
13 county in which the person applying for registration resides, the Secretary  
14 of State or county clerk shall forward the card to the county clerk for the  
15 county in which the person resides not later than the fifth day after receiv-  
16 ing the card.

17 (3) Registration of a qualified person occurs:

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

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

29 (c) In the case of a registration card missing a date of birth, containing  
30 an incomplete date of birth or containing an unintentional scrivener's error  
31 that is supplied or corrected as described in subsection (4) or (6) of this

1 section, on the date that registration would have occurred if the registration  
2 card had not been missing the date of birth, contained an incomplete date  
3 of birth or contained the scrivener's error.

4 (4) Except as provided in ORS 247.125, if a registration card is legible,  
5 accurate and contains, at a minimum, the registrant's name, residence ad-  
6 dress, date of birth and signature, the county clerk shall register the person.  
7 If this information is missing from the registration card or the date of birth  
8 is incomplete, the county clerk shall attempt to contact the person to obtain  
9 the missing or incomplete information. The county clerk may supply the  
10 registrant's date of birth from any previous registration of the registrant.

11 (5) If a registration card meets the requirements of subsection (4) of this  
12 section but is missing an indication of political party affiliation, the regis-  
13 trant shall be considered not affiliated with any political party. This sub-  
14 section does not apply if an elector is updating a registration.

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

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

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

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

24 **SECTION 4.** ORS 247.292 is amended to read:

25 247.292. (1) A county clerk shall update the registration of an elector in  
26 the county upon receiving [*written*] evidence from:

27 (a) The elector indicating a residence or mailing address that is different  
28 from the residence or mailing address for the elector as contained in the  
29 records of the county clerk;

30 (b) The United States Postal Service indicating a residence address that  
31 is different from the residence address for the elector as contained in the

1 records of the county clerk; [or]

2 (c) The Secretary of State as provided in ORS 247.295; or

3 (d) **A voter registration agency designated under ORS 247.208 or a**  
4 **qualified designated voter registration agency under section 2 of this**  
5 **2013 Act.**

6 (2) When a county clerk updates the registration of an elector under  
7 subsection (1) of this section, the clerk shall send a new precinct memoran-  
8 dum card by nonforwardable mail to the elector as provided in ORS 247.181.  
9 The clerk shall include a notice stating that if the residence address or  
10 mailing address is not correct, the elector must notify the clerk.

11 (3) An elector is not disqualified from voting due to any error relating to  
12 an update of registration made under this section.

13 **SECTION 5.** ORS 247.302 is amended to read:

14 247.302. (1) The effective date of a voter registration updated under ORS  
15 247.292 is the date on which the county clerk receives [*written*] evidence of  
16 the change of residence or mailing address.

17 (2) The effective date of a voter registration updated under ORS 247.296  
18 is the date on which the county clerk changes the address information on  
19 the voter registration file.

20 **SECTION 6.** ORS 246.410 is amended to read:

21 246.410. (1)(a) After each federal decennial census, the Secretary of State  
22 shall prepare detailed and comprehensive directives providing guidelines for  
23 fixing precinct and other electoral district boundaries based on census pop-  
24 ulation figures.

25 (b) After the federal decennial census and before the Legislative Assembly  
26 or Secretary of State, whichever is applicable, apportions the state into  
27 congressional and legislative districts, the secretary shall deliver the direc-  
28 tives to:

29 (A) Each county clerk; and

30 (B) Any local government, as defined in ORS 174.116, or special govern-  
31 ment body, as defined in ORS 174.117, that fixes electoral district boundaries

1 based on census population figures.

2 (2)(a) In accordance with any directive distributed by the Secretary of  
3 State under this section, the county clerk, not later than the 30th day before  
4 an election, may create, combine or divide one or more precincts. The num-  
5 ber of electors to be included in a precinct shall not exceed [5,000] **10,000**.  
6 The county clerk shall fix the boundaries of the precincts and designate the  
7 precincts by numbers or names.

8 (b) A local government or special government body that fixes electoral  
9 district boundaries based on census population figures shall fix the electoral  
10 district boundaries in accordance with any directive distributed by the Sec-  
11 retary of State under this section.

12 **SECTION 7.** ORS 247.017 is amended to read:

13 247.017. (1) The Department of Transportation shall make a voter regis-  
14 tration card available to any person at any office of the department where  
15 licenses or renewal applications are distributed or received.

16 (2) When a person who is at least 17 years of age applies for issuance or  
17 renewal of an Oregon driver license, as defined in ORS 801.245, or issuance  
18 of a state identification card under ORS 807.400 or submits a change of ad-  
19 dress application form at a department office where driver license issuance  
20 or renewal applications, state identification card applications or change of  
21 address applications are distributed or received, department personnel shall  
22 inform the person that the person may register to vote at the department  
23 office. Department personnel shall ask the applicant whether the applicant  
24 is registered to vote at the applicant's current address and if not, whether  
25 the applicant would like to register to vote at the department office.

26 (3) Each office shall deliver in a timely manner the completed voter reg-  
27 istration cards to the county clerk or elections officer of the county in which  
28 the office is located. The county clerk or elections officer of the county  
29 where the office is located shall forward the registration card to the county  
30 clerk or elections officer of the county in which the applicant resides. The  
31 county clerk or elections officer may reject any registration card in accord-

1 ance with ORS 247.174. The Secretary of State shall determine by rule the  
2 time and manner the completed registration cards are to be delivered to the  
3 appropriate county clerk or elections officer.

4 (4) The department shall develop a driver license issuance or renewal and  
5 voter registration application procedure and a state identification card issu-  
6 ance and voter registration application procedure and a change of address  
7 and voter registration application procedure that allows an applicant for a  
8 license, renewal, state identification card or change of address to register to  
9 vote by providing the information required by ORS 247.171 and the informa-  
10 tion required for the issuance or renewal of a license or for issuance of a  
11 state identification card. The Secretary of State shall approve the voter  
12 registration portion of each application procedure and change of address  
13 procedure.

14 (5) The voter registration portion of an application described in sub-  
15 section (4) of this section shall comply with provisions of the National Voter  
16 Registration Act of 1993 (P.L. 103-31).

17 (6) The Secretary of State shall adopt rules establishing procedures for  
18 meeting the requirements of subsection (3) of this section.

19 (7) Information relating to the failure of an applicant under this section  
20 to sign the voter registration portion of an application for issuance or re-  
21 newal of a driver license, issuance of a state identification card or for a  
22 change of address may not be used for other than voter registration purposes.

23 **(8) The department is not subject to this section if the department**  
24 **is a qualified designated voter registration agency as defined in section**  
25 **2 of this 2013 Act.**

26 **SECTION 8. For purposes of maintaining status as a minor political**  
27 **party under ORS 248.008 (4)(b) for the general election to be held in**  
28 **November 2014, the total number of registered electors in this state is**  
29 **the total number of registered electors in this state on July 1, 2013.**

30 **SECTION 9. (1) Section 2 of this 2013 Act applies to:**

31 **(a) Voter registration agencies designated by the Secretary of State**

1 under ORS 247.208 before, on or after the effective date of this 2013  
2 Act; and

3 (b) Data and signatures in the possession of qualified designated  
4 voter registration agencies under section 2 of this 2013 Act before, on  
5 or after the effective date of this 2013 Act.

6 (2) The Secretary of State and a qualified designated voter regis-  
7 tration agency that exists as a voter registration agency designated  
8 under ORS 247.208 on the effective date of this 2013 Act shall imple-  
9 ment section 2 of this 2013 Act and ORS 247.012, as amended by section  
10 3 of this 2013 Act, no later than January 1, 2014.

11 SECTION 10. This 2013 Act being necessary for the immediate  
12 preservation of the public peace, health and safety, an emergency is  
13 declared to exist, and this 2013 Act takes effect on its passage.

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