

FISCAL IMPACT OF PROPOSED LEGISLATION

Seventy-Seventh Oregon Legislative Assembly – 2013 Regular Session
Legislative Fiscal Office

Measure: HB 3521 - A

***Only Impacts on Original or Engrossed
Versions are Considered Official***

Prepared by: Kim To
Reviewed by: Steve Bender
Date: 5/22/2013

Measure Description:

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.

Government Unit(s) Affected:

Secretary of State (SOS), Oregon Department of Transportation (ODOT), counties

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

This fiscal impact statement is for the purpose of transmitting this measure from the House Committee on Rules to the Joint Committee on Ways and Means.

The measure requires designated voter registration agencies to share information digitally with the Secretary of State's office to register voters and maintain up-to-date voter rolls unless eligible voter chooses to opt out. The bill provides for the voter registration of individuals in the Department of Motor Vehicle (DMV) database who meet voter eligibility requirements if the individual chooses not to opt out. The bill directs the Secretary of State to send notices, including postage paid returns, to each eligible person describing how to opt out of registration and how to select a political party if they choose. The bill includes an emergency clause effective on passage, but does not require implementation until January 1, 2014.

This bill is anticipated to have a fiscal impact on the Secretary of State, the Oregon Department of Transportation and counties.

The full impact of this bill is still being determined. A more complete fiscal analysis on the bill will be prepared as the measure is considered in the Joint Committee on Ways and Means.

Further Analysis Required

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and be referred to Committee on Ways and Means
Vote:	6 - 3 - 0
Yeas:	Barnhart, Dembrow, Holvey, Hoyle, Jenson, Garrett
Nays:	Berger, Hicks, Kennemer
Exc.:	0
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	5/8, 5/22

WHAT THE MEASURE DOES: 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. Exempts from public disclosure voter registration information for person under 18. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Security of protected voter information
- Removal of barriers to participation
- Proof of citizenship requirement for registration
- Cost and cost-savings for county clerks of implementation
- Unfunded mandate to counties
- Providing opportunity to participate in elections
- Access to general election ballot for minor parties
- Registration deadline
- Definition of qualified designated voter registration agency
- Ability to opt-out of voter registration
- Reasons for registering or not registering to vote

EFFECT OF COMMITTEE AMENDMENT: Exempts from public disclosure voter registration information for person under 18.

BACKGROUND: The National Voter Registration Act of 1993 (NVRA) established procedures to increase voter registration of eligible citizens in elections for federal office; to protect the integrity of the political process; and to assure accurate and current voter registration rolls. To increase registration of eligible citizens, the NVRA required States to permit voter registration by the following means (in addition to any other method provided by state law): (a) by application simultaneous with an application for a motor vehicle driver's license ("motor-voter" registration); (b) by use of a uniform mail application; and, (c) by application in person at a designated agency.

ORS 247.208 permits the Secretary of State by rule, in accordance with the requirements of NVRA of 1993, to designate agencies as voter registration agencies. A NVRA agency could be a state, county, city or special district office; federal office; or nongovernmental office. House Bill 3521-A would require a designated voter registration agency that (a) records and stores digital copies of signatures; (b) collects age and residence data; and (c) processes citizenship documentations to provide Secretary of State with necessary information in order to register each qualified, nonregistered person to vote. Individuals registered to vote through this process would be notified of registration status how to cancel registration, and how to adopt or change political party affiliation.

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This summary has not been adopted or officially endorsed by action of the committee.

Currently, ORS 246.410 (2)(a) requires the county clerk, not later than the 30th day before an election, to create, combine or divide one or more precincts. The number of electors to be included in a precinct shall not exceed 5,000. House Bill 3521-A would increase the number of electors that may be included in a precinct to not more than 10,000.

Under current statute (ORS 248.008) a minor party gains or maintains ballot access by maintaining a voter registration equal to 1/10th of 1 percent of all voters and by running a statewide candidate that polls at least 1 percent of all voters participating in the preceding general election or by maintaining a voter registration equal to 1/2 of 1 percent of the total number of registered electors in the state that are registered as members of the party.

House Bill 3521-A would allow minor parties to utilize the total number of registered electors for purposes of maintaining status as a minor political party under ORS 248.008 (4)(b). For the general election to be held in November 2014, the total number of registered electors in this state is the total number of registered electors in this state on July 1, 2013.