
MEMORANDUM

Legislative Fiscal Office
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To: General Government Subcommittee of the Joint Committee on Ways and Means

From: Kim To, Legislative Fiscal Office, 503-986-1830

Date: June 18, 2013

Subject: HB 3506 Relating to bilingual election requirements
Work Session Recommendation

HB 3506 establishes the Task Force on Minority Language Voting Materials charged with determining the best way to ensure that members of large language-minority receive necessary voter materials in the appropriate language. The taskforce is required to submit a report to an interim committee by October 1, 2014. The task force sunsets at the convening of the 2015 legislative session..

The measure previously had hearings in the House Committee on Rules on 5/1/2013, 5/29/2013, and 6/4/2013. A public hearing was held in this committee on 6/13/2013.

The original staff measure summary and the fiscal impact statement are attached to this memo, and available on the Oregon Legislative Information System (OLIS).

Fiscal impact

The fiscal impact of this bill is anticipated to be minimal. The Secretary of State will use existing staff and resources to support the work of the task force.

Recommendation

LFO recommends the measure be moved to the Full Committee.

Motion

**Motion: Senator/Representative _____:
I move HB 3506 to the Full Committee with a “do pass”
recommendation.**

Assignment of Carriers

Full: _____

Senate: _____

House: _____

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: HB 3506 - A

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

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

Prepared by: Kim To
Reviewed by: Steve Bender, Daron Hill
Date: 5/30/2013

Measure Description:

Establishes Task Force on Minority Language Voting Materials.

Government Unit(s) Affected:

Secretary of State, Counties, Legislative Assembly

Analysis:

The proposed legislation has been determined to have
MINIMAL EXPENDITURE IMPACT
on state or local government.

While this individual measure has a “Minimal” fiscal impact, an agency may incur a net fiscal impact greater than minimal depending on the cumulative impact of all measures enacted into law that affect the agency.

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	5 - 4 - 0
Yeas:	Barnhart, Dembrow, Holvey, Hoyle, Garrett
Nays:	Berger, Hicks, Jenson, Kennemer
Exc.:	0
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	5/1, 5/29

WHAT THE MEASURE DOES: Establishes Task Force on Minority Language Voting Materials (Task Force). Task Force consists of six to nine members including: Secretary of State or designee; Director of Elections Divisions or designee; one senator; one representative; and two county clerks. Task Force may include one to three additional appointees who have expertise in language issues, community organization, or population analysis. Task Force shall determine best way to ensure that members of large language-minority communities receive necessary voter materials in applicable minority language. Specifies elements of analysis. Requires Task Force to report to interim committees on Rules no later than October 1, 2014. Directs Secretary of State to provide staff to support work of Task Force. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Understanding voting procedures and election process
- Diversity of citizens in Oregon
- Possible amendment
- Enfranchising all eligible Oregonians to participate in elections
- Utilizing of New American Voters' Project
- Technology resources available to provide voting materials in other languages
- Ensuring accuracy of translation of voting materials
- Number of qualifying counties and number of languages that would qualify
- Inclusion of Native American voters
- Federal statutes and qualifications for requiring voting materials in minority languages
- Citizenship requirements

EFFECT OF COMMITTEE AMENDMENT: Replaces original measure.

BACKGROUND: In 1975, Congress amended the Voting Rights Act by adding Section 203, noting that "through the use of various practices and procedures, citizens of language minorities have been effectively excluded from participation in the electoral process....The Congress declares that, in order to enforce the guarantees of the fourteenth and fifteenth amendments to the United States Constitution, it is necessary to eliminate such discrimination by prohibiting these practices."

Section 203 provides that whenever any state or political subdivision provides registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language. Covered jurisdictions are determined based on data from the most recent census by the Director of the Census when the number of United States citizens of voting age is a single language group within the jurisdiction is: a) More than

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

10,000 or more than five percent of all voting age citizens; b) Population on an Indian reservation, exceeds five percent of all reservation residents; and c) illiteracy rate of the group is higher than the national illiteracy rate.

House Bill 3506-A establishes the Task Force on Minority Language Voting Materials (Task Force). The Task Force will determine the best way to ensure that members of large language-minority communities receive necessary voter materials in the applicable minority language. The types of voting materials that could be provided in other languages include, but are not limited to, registration forms, ballots, instructions for how to cast a vote, and voters' pamphlets.