

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 1 - 1
Yeas:	Barnhart, Berger, Dembrow, Holvey, Hoyle, Jenson, Garrett
Nays:	Hicks
Exc.:	Kennemer
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	3/11, 4/15

WHAT THE MEASURE DOES: Modifies requirements of county elections security plans to include number and location of any video cameras located where ballots may be tallied. Requires county clerk, at time clerk proclaims results of election, to submit to Secretary of State record of number of ballots: printed, mailed, issued at office of county clerk, returned undeliverable, rejected ballot envelopes, tallied ballots, ballots used for duplication, test and archived ballots. Requires county clerk, at end of voting on Election Day, to mark each duplicate ballot and mark or seal, secure and account for unused ballots. Requires county clerk, as soon as practicable after election, to destroy unused ballots. Requires person returning completed ballot for voter to return to county clerk by mail, to office of county clerk, or any designated ballot drop location within two days of receiving ballot. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Security and accounting of ballots are maintained
- Requirement to provide public accounting of ballots received
- Supreme Court ruling addressing conflict in statute regarding ballot destruction
- Conflict in statute as remnant of polling place elections in ORS 254.483
- Different types of ballots that are not articulated in statute
- Procedures county clerks follow to safeguard ballots after 8:00 p.m.
- Election certification report would be public record and accessed from county clerk's office
- Security cameras currently in place in 35 of 36 counties
- Unique circumstances in each of the counties regarding election procedures
- Election integrity
- Public access to county election security plans
- Specified duration of storage for video surveillance
- Audit of security procedures
- Public confidence in election procedures and outcomes

EFFECT OF COMMITTEE AMENDMENT: Clarifies video surveillance cameras are within elections office. Clarifies language for report to Secretary of State regarding record of ballots at election. States that county clerk is responsible for safekeeping, disposition and security for all ballots.

BACKGROUND: There are several statutes governing polling place elections, but those statutes are in conflict with updated laws governing Oregon's vote-by-mail voting system. ORS 254.483 presents a direct conflict for county officials. The statute requires any unused ballots be destroyed at 8:00 p.m. on election day and also requires county officials to secure and account for unused ballots on the same day and time. County elections need to have unused ballots available throughout the tallying and certification process to duplicate damaged ballots and otherwise process the election.

House Bill 2199-A requires an accounting of all ballots be reported to the Secretary of State once the county clerk certifies the election. The measure requires any ballot used for duplication purposes be marked as a duplicate ballot, and requires that each unused ballot be marked as such or be sealed, secured and accounted for by the county clerk.

4/17/2013 10:12:00 AM

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