

House Bill 3344

Sponsored by Representative HOYLE

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**.

Deletes provisions relating to confidentiality of challenged ballots. Directs Secretary of State to adopt rules to protect identities of persons whose ballots have been challenged. Directs county clerks to distribute, upon request and subject to rules adopted by secretary, list of persons whose ballots have been challenged.

A BILL FOR AN ACT

1
2 Relating to challenged ballots; amending ORS 254.426.

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

4 **SECTION 1.** ORS 254.426 is amended to read:

5 254.426. (1) Whenever any person votes a challenged ballot, the county clerk shall ensure that
6 the ballot offered by the person includes the number of the written statement of challenge so that
7 the ballot may be identified in any future contest of the election.

8 (2) The county clerk shall examine the challenge and determine if the person is validly regis-
9 tered to vote and if the vote was properly cast. The ballot shall be counted only if the county clerk
10 determines the person is validly registered.

11 (3) *[The county clerk shall ensure that the information on the numbered written statement is treated*
12 *as confidential so that in the event of a recount of votes it cannot be determined how any challenged*
13 *person voted.]* **The Secretary of State shall adopt rules necessary to protect the identities of**
14 **the persons whose ballots have been challenged.**

15 (4) The county clerk shall mail to each person voting under this section and ORS 254.415 a
16 written statement that describes the nature of the challenge. If the person does not provide evidence
17 sufficient to verify the person's registration by the deadline described in subsection (5) of this sec-
18 tion, the registration of the person shall be considered inactive until the person updates or verifies
19 the registration, the registration is canceled or the county clerk determines that the person is
20 validly registered.

21 (5) The registration of each person voting under this section and ORS 254.415 shall be verified
22 not later than the 10th calendar day after the date of the election in order for the vote of the person
23 to be counted.

24 **(6) Subject to rules adopted by the secretary under this section, upon request of any**
25 **person, the county clerk shall deliver to the person a list of persons whose ballots have been**
26 **challenged at an election.**

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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.