

House Bill 3506

Sponsored by Representative GALLEGOS; Representatives BAILEY, BARKER, DEMBROW, DOHERTY, FREDERICK, GARRETT, GELSER, GORSEK, GREENLICK, HARKER, KENY-GUYER, MCKEOWN, TOMEI, UNGER, VEGA PEDERSON, WITT, Senators BURDICK, STEINER HAYWARD

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**.

Requires Secretary of State and county clerks to provide voting materials in language other than English to minority language speakers in counties in which either five percent of population or 10,000 citizens are members of single language minority community.

Requires Secretary of State to allow electors to register as member of language minority community on voter registration website.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to bilingual election requirements; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 246.**

5 **SECTION 2. (1) As used in sections 2, 3 and 5 of this 2013 Act:**

6 (a) **“Minority language” means a language other than English that is spoken by members**
7 **of a single language minority community.**

8 (b) **“Qualifying county” means a county in which:**

9 (A) **At least five percent of the United States citizens who are at least five years of age**
10 **and residing in the county are members of a single language minority community; or**

11 (B) **At least 10,000 United States citizens who are at least five years of age and residing**
12 **in the county are members of a single language minority community.**

13 (c) **“Voting materials” means any elector registration or voting notices, forms, in-**
14 **structions, assistance or other materials or information relating to the electoral process,**
15 **including but not limited to:**

16 (A) **Elector registration forms;**

17 (B) **Mailed ballots;**

18 (C) **Measures and instructions for how to cast a vote;**

19 (D) **Ballot titles;**

20 (E) **Voting information put out by a qualifying county; and**

21 (F) **Voters’ pamphlets.**

22 (2) **The Secretary of State shall make a determination of whether a county is a “quali-**
23 **ifying county” based on the number of individuals who speak a minority language at the**
24 **individuals’ residence, as determined every 10 years by the federal decennial census and ev-**
25 **ery five years between the decennial census by the American Community Survey.**

26 (3)(a) **A qualifying county shall provide all voting materials in each minority language**
27 **that satisfies the number requirements in subsection (1)(b) of this section.**

28 (b) **The Secretary of State shall post a copy of the voters’ pamphlet on the Internet in**

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.

1 each minority language that satisfies the number requirements in subsection (1)(b) of this
2 section in at least one county. The voting materials provided under this subsection shall in-
3 clude clear and readily visible directions stating how to locate a version of the translated
4 voters' pamphlet on the Internet.

5 (4) The Secretary of State and each clerk of a qualifying county shall keep a record of
6 individuals who register as electors using minority language registration forms and ensure
7 that all future voting materials sent to these individuals are in the same minority language
8 that the elector used to register.

9 **SECTION 3.** (1) The Secretary of State shall create and maintain, as part of the voter
10 registration website, the ability for any elector to register as a member of a language mi-
11 nority community.

12 (2) Notwithstanding any registration made in subsection (1) of this section, the Secretary
13 of State and county clerks are required to provide voting materials in a minority language
14 only to United States citizens who reside in a qualifying county.

15 **SECTION 4.** The Secretary of State and county clerks may take any action before the
16 operative date specified in section 5 of this 2013 Act that is necessary for the Secretary of
17 State and county clerks to exercise, on and after the date specified in section 5 of this 2013
18 Act, all of the duties imposed on the Secretary of State and county clerks by sections 2 and
19 3 of this 2013 Act.

20 **SECTION 5.** Sections 2 and 3 of this 2013 Act apply to any voting materials issued by the
21 Secretary of State or county clerks for an election held after July 1, 2014.

22 **SECTION 6.** This 2013 Act being necessary for the immediate preservation of the public
23 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
24 on its passage.