

SENATE AMENDMENTS TO SENATE BILL 150

By COMMITTEE ON RULES

June 14

1 On page 1 of the printed bill, line 2, after “254.195” insert “, 254.470”.

2 On page 2, after line 23, insert:

3 “**SECTION 3.** ORS 254.470 is amended to read:

4 “254.470. (1) The Secretary of State by rule shall establish requirements and criteria for the
5 designation of places of deposit for the ballots cast in an election. The rules shall also specify the
6 dates and times the places of deposit must be open and the security requirements for the places of
7 deposit. At a minimum, the places designated under this section shall be open on the date of the
8 election for a period of eight or more hours, but must be open until at least 8 p.m. At each place
9 of deposit designated under this section, the county clerk shall prominently display a sign stating
10 that the location is an official ballot drop site.

11 “(2)(a) Except as provided in paragraphs (b) and (c) of this subsection, the county clerk shall
12 mail by nonforwardable mail an official ballot with a return identification envelope and a secrecy
13 envelope not sooner than the [18th] **20th** day before the date of an election and not later than the
14 14th day before the date of the election, to each active elector of the electoral district as of the 21st
15 day before the date of the election.

16 “(b) If the county clerk determines that an active elector of the electoral district as of the 21st
17 day before the date of the election does not receive daily mail service from the United States Postal
18 Service, the county clerk shall mail by nonforwardable mail an official ballot with a return iden-
19 tification envelope and a secrecy envelope to the elector not sooner than the 20th day before the
20 date of an election and not later than the 18th day before the date of the election.

21 “(c) In the case of ballots to be mailed to addresses outside this state to electors who are not
22 long-term absent electors, the county clerk may mail the ballots not sooner than the 29th day before
23 the date of the election.

24 “(3) For an election held on the date of a primary election:

25 “(a) The county clerk shall mail the official ballot of a major political party to each elector who
26 is registered as being affiliated with the major political party as of the 21st day before the date of
27 the election.

28 “(b) The county clerk shall mail the official ballot of a major political party to an elector not
29 affiliated with any political party if the elector has applied for the ballot as provided in this sub-
30 section and that party has provided under ORS 254.365 for a primary election that admits electors
31 not affiliated with any political party.

32 “(c) An elector not affiliated with any political party who wishes to vote in the primary election
33 of a major political party shall apply to the county clerk in writing. The application shall indicate
34 which major political party ballot the elector wishes to receive. Except for electors described in
35 subsection (4) of this section, and subject to ORS 247.203, the application must be received by the

1 county clerk not later than 5 p.m. of the 21st day before the date of the election.

2 “(d) If the primary election ballot includes city, county or nonpartisan offices or measures, the
3 county clerk shall mail to each elector who is not eligible to vote for party candidates a ballot
4 limited to those offices and measures for which the elector is eligible to vote.

5 “(4) For each elector who updates a voter registration after the deadline in ORS 247.025, the
6 county clerk shall make the official ballot, the return identification envelope and the secrecy en-
7 velope available either by mail or at the county clerk’s office or at another place designated by the
8 county clerk. An elector to whom this subsection applies must request a ballot from the county
9 clerk.

10 “(5) The ballot shall contain the following warning:

11 “ _____
12
13 Any person who, by use of force or other means, unduly influences an elector to vote in any
14 particular manner or to refrain from voting is subject to a fine.
15 “ _____

16
17 “(6) Upon receipt of any ballot described in this section, the elector shall mark the ballot, sign
18 the return identification envelope supplied with the ballot and comply with the instructions provided
19 with the ballot. The elector may return the marked ballot to the county clerk by United States mail
20 or by depositing the ballot at the office of the county clerk, at any place of deposit designated by
21 the county clerk or at any location described in ORS 254.472 or 254.474. The ballot must be returned
22 in the return identification envelope. If the elector returns the ballot by mail, the elector must
23 provide the postage. A ballot must be received at the office of the county clerk, at the designated
24 place of deposit or at any location described in ORS 254.472 or 254.474 not later than the end of the
25 period determined under subsection (1) of this section on the date of the election.

26 “(7) An elector may obtain a replacement ballot if the ballot is destroyed, spoiled, lost or not
27 received by the elector. Replacement ballots shall be issued and processed as described in this
28 section and ORS 254.480. The county clerk shall keep a record of each replacement ballot provided
29 under this subsection. Notwithstanding any deadline for mailing ballots in subsection (2) of this
30 section, a replacement ballot may be mailed, made available in the office of the county clerk or made
31 available at one central location in the electoral district in which the election is conducted. The
32 county clerk shall designate the central location. A replacement ballot need not be mailed after the
33 fifth day before the date of the election.

34 “(8) A ballot shall be counted only if:

35 “(a) It is returned in the return identification envelope;

36 “(b) The envelope is signed by the elector to whom the ballot is issued; and

37 “(c) The signature is verified as provided in subsection (9) of this section.

38 “(9) The county clerk shall verify the signature of each elector on the return identification en-
39 velope with the signature on the elector’s registration card, according to the procedure provided by
40 rules adopted by the Secretary of State. If the county clerk determines that an elector to whom a
41 replacement ballot has been issued has voted more than once, the county clerk shall count only one
42 ballot cast by that elector.

43 “(10) At 8 p.m. on election day, electors who are at the county clerk’s office, a place of deposit
44 designated under subsection (1) of this section or any location described in ORS 254.472 or 254.474
45 and who are in line waiting to vote or deposit a voted ballot shall be considered to have begun the

1 act of voting.”
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