

# House Bill 2179

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Secretary of State Kate Brown)

## 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**.

Extends start date for prohibitions related to elections to begin 45 days before election.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to elections; amending ORS 260.695; and declaring an emergency.

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

4 **SECTION 1.** ORS 260.695, as amended by section 6, chapter 67, Oregon Laws 2014, and section  
5 6, chapter 112, Oregon Laws 2014, is amended to read:

6 260.695. (1)(a) If a person prints or circulates an imitation of the ballot or sample ballot:

7 (A) The imitation ballot or sample ballot and the back of any return envelope enclosed with the  
8 ballot or sample ballot shall state the following: "THIS IS NOT A REAL BALLOT. DO NOT USE  
9 TO VOTE." The statement on the imitation ballot or sample ballot shall be in bold print that is at  
10 least two times as large as the majority of the text on the ballot or sample ballot or 20-point type,  
11 whichever is larger. The statement on the back of a return envelope shall be in bold print that is  
12 at least 36-point type.

13 (B) The word "UNOFFICIAL" must be superimposed on the imitation ballot or sample ballot so  
14 that the word extends diagonally across the ballot from one margin of the text to the other. The  
15 superimposed word may be printed in lighter ink than other text on the ballot or sample ballot.

16 (b) For purposes of this subsection, an imitation of the ballot or sample ballot includes an imi-  
17 tation of a portion of the ballot or sample ballot.

18 (2) A person may not do any electioneering, including circulating any cards or handbills, or so-  
19 liciting of signatures to any petition, within any building in which any state or local government  
20 elections office designated for the deposit of ballots under ORS 254.470 is located, or within 100 feet  
21 measured radially from any entrance to the building. A person may not do any electioneering by  
22 public address system located more than 100 feet from an entrance to the building if the person is  
23 capable of being understood within 100 feet of the building. The electioneering need not relate to  
24 the election being conducted. This subsection applies during the business hours of the building or,  
25 if the building is a county elections office, during the hours the office is open to the public, during  
26 the period beginning on the **45th day before any primary election, general election or special**  
27 **election held in this state** [*date that ballots are mailed to electors as provided in ORS 254.470*] and  
28 ending on election day at 8 p.m. or when all persons waiting in line at the building who began the  
29 act of voting as described in ORS 254.470 (10) by 8 p.m. have finished voting.

30 (3) A person may not obstruct an entrance of a building in which ballots are issued or a place  
31 designated for the deposit of ballots under ORS 254.470 or any voting booth maintained under ORS

**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.

1 254.474 is located. This subsection applies during the period beginning on the **45th day before any**  
 2 **primary election, general election or special election held in this state** [*date that ballots are*  
 3 *mailed to electors as provided in ORS 254.470*] and ending on election day at 8 p.m. or when all  
 4 persons waiting in line at the building or location who began the act of voting as described in ORS  
 5 254.470 (10) by 8 p.m. have finished voting.

6 (4) A person may not vote or offer to vote in any election knowing the person is not entitled  
 7 to vote.

8 (5) A person may not make a false statement about the person's inability to mark a ballot.

9 (6) A person, except an elections official in performance of duties or another person providing  
 10 assistance to an elector as described in ORS 254.445, may not ask a person at any place designated  
 11 for the deposit of ballots under ORS 254.470 or at any location described in ORS 254.472 or 254.474  
 12 for whom that person intends to vote, or examine or attempt to examine the person's ballot.

13 (7) An elections official, other than in the performance of duties, may not disclose to any person  
 14 any information by which it can be ascertained for whom any elector has voted.

15 (8) A person, except an elections official in performance of duties, may not do anything to a  
 16 ballot to permit identification of the person who voted.

17 (9) An elector may not willfully leave at any place designated for the deposit of ballots under  
 18 ORS 254.470 or at any location described in ORS 254.472 or 254.474 anything that will show how the  
 19 elector's ballot was marked.

20 (10) A person, except an elections official in performance of duties, may not remove a ballot  
 21 from any place designated for the deposit of ballots under ORS 254.470 or any location described in  
 22 ORS 254.472 or 254.474.

23 (11) A person, except an elections official in performance of duties or a person authorized by  
 24 that official, may not willfully deface, remove, alter or destroy a posted election notice.

25 (12) A person, except an elections official in performance of duties, may not willfully remove,  
 26 alter or destroy election equipment or supplies, or break the seal or open any sealed package con-  
 27 taining election supplies.

28 (13) A person, except an elections official in performance of duties, may not provide elections  
 29 advice or attempt to collect voted ballots within any building in which any state or local govern-  
 30 ment elections office designated for the deposit of ballots under ORS 254.470 is located, or within  
 31 100 feet measured radially from any entrance to the building.

32 (14) A person, except an elections official in performance of duties, may not establish a location  
 33 to collect ballots voted by electors unless:

34 (a) The person prominently displays at the location a sign stating: "NOT AN OFFICIAL BAL-  
 35 LOT DROP SITE"; and

36 (b) The sign is printed in all capital letters in bold 50-point type.

37 **SECTION 2. This 2015 Act being necessary for the immediate preservation of the public**  
 38 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
 39 **on its passage.**