

House Bill 2928

Sponsored by Representative RAYFIELD

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**.

Permits person who will be 17 years old on date of primary election and 18 years old on date of general election to adopt major party affiliation and vote at primary election for candidates of major political party with which person is affiliated.

Appropriates moneys from General Fund to Secretary of State for purpose of printing and counting additional ballots.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to voting at primary elections; creating new provisions; amending ORS 247.016, 253.540,
3 253.565 and 254.115; and declaring an emergency.

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

5 **SECTION 1.** ORS 247.016 is amended to read:

6 247.016. (1) Subject to this section, an otherwise qualified person who is at least 17 years of age
7 may register to vote.

8 (2) **Except as provided in subsection (3) of this section**, a person who registers to vote under
9 subsection (1) of this section may not vote in an election until the person attains the age of 18 years.

10 (3) **A person who registers to vote under subsection (1) of this section not later than 21**
11 **days before the date of the primary election and who will attain the age of 18 years after the**
12 **primary election but on or before the date of the general election may:**

13 (a) **Adopt a major political party affiliation; and**

14 (b) **Vote at the primary election for candidates of the major political party with which**
15 **the person is affiliated.**

16 [(3)] (4) If a person who registers to vote under subsection (1) of this section will be under 18
17 years of age on the date of the next election held on a date listed in ORS 171.185 or the next special
18 election, the person's voter registration information, including but not limited to the person's name
19 and any identifying information, may not be disclosed as a public record under ORS 192.410 to
20 192.505.

21 **SECTION 2.** ORS 254.115 is amended to read:

22 254.115. (1) The official primary election ballot shall be styled "Official Primary Nominating
23 Ballot for the _____ Party." and shall state:

24 (a) The name of the county for which it is intended.

25 (b) The date of the primary election.

26 (c) The names of all candidates for nomination at the primary election whose nominating pe-
27 titions or declarations of candidacy have been made and filed, and who have not died, withdrawn
28 or become disqualified.

29 (d) The names of candidates for election as precinct committeeperson.

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 (e) The names of candidates for the party nomination for President of the United States who
 2 qualified for the ballot under ORS 249.078.

3 (2) **Except as provided in subsection (3) of this section**, the primary election ballot may in-
 4 clude any city, county or nonpartisan office or the number, ballot title and financial estimates under
 5 ORS 250.125 of any measure.

6 (3) **The primary election ballot provided pursuant to ORS 247.016 to a person who is under**
 7 **18 years old shall be limited to stating the information set forth in subsection (1) of this**
 8 **section.**

9 [(3)] (4) The ballot may not contain the name of any person other than those referred to in
 10 subsections (1) [and (2)] **to (3)** of this section. The name of each candidate for whom a nominating
 11 petition or declaration of candidacy has been filed shall be printed on the ballot in but one place.
 12 In the event that two or more candidates for the same nomination or office have the same or similar
 13 surnames, the location of their places of residence shall be printed with their names to distinguish
 14 one from another.

15 **SECTION 3.** ORS 253.540 is amended to read:

16 253.540. (1) Any military or overseas elector may secure a ballot by submitting an application
 17 as specified in subsection (2) of this section to the clerk of the county of the military or overseas
 18 elector's residence, or to the Secretary of State. If the application is addressed to the Secretary of
 19 State, the secretary shall forward it to the appropriate county clerk.

20 (2) An application for a ballot by a military or overseas elector shall be made in the form of a
 21 written request. The application shall be valid for every subsequent election until the elector oth-
 22 erwise notifies the clerk or is no longer an elector of the county. The application shall be signed
 23 by the applicant and contain:

24 (a) The name and current mailing address of the applicant;

25 (b) A statement that the applicant is a citizen of the United States;

26 (c) A statement that the applicant will be 18 years of age or older on the date of the **general**
 27 election;

28 (d) A statement that for more than 20 days preceding the election the applicant's home residence
 29 has been in this state, and giving the address of the last home residence;

30 (e) A statement of the facts that qualify the applicant as a military or overseas elector or as the
 31 spouse or a dependent of a military or overseas elector;

32 (f) A statement that the applicant is not requesting a ballot from any other state and is not
 33 voting in any other manner in the election except by the requested ballot; and

34 (g) If the applicant desires to vote in a primary election, a designation of the applicant's political
 35 party affiliation or a statement that the applicant is not affiliated with any political party. An ap-
 36 plicant not affiliated with any political party may request a ballot for a major political party. The
 37 applicant shall be sent the ballot for the political party that the applicant requested if that political
 38 party has provided under ORS 254.365 for a primary election that admits electors not affiliated with
 39 any political party.

40 (3) **The primary election ballot provided to a military or overseas elector under this sec-**
 41 **tion who is under 18 years of age shall be limited to stating the information set forth in ORS**
 42 **254.115 (1).**

43 **SECTION 4.** ORS 253.565 is amended to read:

44 253.565. (1) Any military or overseas elector may secure a special ballot for a primary election
 45 or general election by making an application under this section if the elector believes that:

1 (a) The elector will be residing, stationed or working outside the territorial limits of the United
 2 States and the District of Columbia; and

3 (b) The elector will be unable to vote and return a regular ballot by normal mail delivery within
 4 the period provided for regular absent electors.

5 (2) A military or overseas elector shall make the application for a special ballot in the form of
 6 a written request. The elector shall submit the application before the date of the applicable election
 7 to the clerk of the county of the military or overseas elector's residence or to the Secretary of State.
 8 If the application is addressed to the Secretary of State, the secretary shall forward it to the ap-
 9 propriate county clerk. The application shall be signed by the applicant and contain:

10 (a) The name and current mailing address of the applicant;

11 (b) A designation of the election for which the applicant requests a special ballot;

12 (c) A statement that the applicant is a citizen of the United States;

13 (d) A statement that the applicant will be 18 years of age or older on the date of the **general**
 14 election;

15 (e) A statement that for more than 20 days preceding the election the applicant's home residence
 16 has been in this state, and giving the address of the last home residence;

17 (f) A statement of the facts that qualify the applicant as a military or overseas elector or as the
 18 spouse or a dependent of a military or overseas elector;

19 (g) A statement of the facts that qualify the applicant to vote by means of a special ballot;

20 (h) A statement that the applicant is not requesting a ballot from any other state and is not
 21 voting in any other manner in the election except by the requested special ballot; and

22 (i) If the applicant requests a ballot for a primary election, a designation of the applicant's pol-
 23 itical party affiliation or a statement that the applicant is not affiliated with any political party.
 24 An applicant not affiliated with any political party may request a ballot for a major political party.
 25 The applicant shall be sent the ballot for the political party that the applicant requested if that
 26 political party has provided under ORS 254.365 for a primary election that admits electors not af-
 27 filiated with any political party.

28 (3) An application for a special ballot shall be valid only for the election specified in the appli-
 29 cation.

30 (4) The county clerk shall list on the special ballot the offices and measures scheduled to appear
 31 on the regular ballot, if known when the ballot is prepared, and provide space in which the elector
 32 may write in the elector's preference.

33 **(5) The primary election ballot provided to a military or overseas elector under this sec-**
 34 **tion who is under 18 years of age shall be limited to stating the information set forth in ORS**
 35 **254.115 (1).**

36 ~~[(5)]~~ (6) The elector may write in the name of any eligible candidate for each office to be filled
 37 or for which nominations will be made at the election, and, **except as provided in subsection (5)**
 38 **of this section**, may vote on any measure submitted at the election.

39 **SECTION 5. In addition to and not in lieu of any other appropriation, there is appropri-**
 40 **ated to the Secretary of State, for the biennium beginning July 1, 2017, out of the General**
 41 **Fund, the amount of \$____, to be allocated to county clerks for the purpose of carrying out**
 42 **the amendments to ORS 247.016 and 254.115 by sections 1 and 2 of this 2017 Act.**

43 **SECTION 6. The amendments to ORS 247.016, 253.540, 253.565 and 254.115 by sections 1**
 44 **to 4 of this 2017 Act apply to primary elections held on or after the effective date of this 2017**
 45 **Act.**

1 **SECTION 7. This 2017 Act being necessary for the immediate preservation of the public**
2 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
3 **on its passage.**

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