

SB 1510 A STAFF MEASURE SUMMARY

Carrier: Sen. Burdick

Senate Committee On Rules

Action Date: 02/22/18
Action: Do pass with amendments. (Printed A-Eng.)
Vote: 5-0-0-0
Yeas: 5 - Beyer, Boquist, Burdick, Roblan, Winters
Fiscal: Has minimal fiscal impact
Revenue: No revenue impact
Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Modifies laws relating to elections. Prohibits disclosure of certain voter-related information. Includes certain voter-related information in lists maintained by county clerks and Secretary of State and directs Secretary to make list available each business day during election period. Requires that final certified ballot title be included on official template of cover and signature sheets of initiative petition. Caps the number of signatures that may be included on a prospective petition to initiate a state measure at 2,000. Directs elections officer to reprint ballot, if officer determines at least 61 days before election that candidate has died, withdrawn or is not qualified for office. Eliminates obligation of district elections official to notify county clerk whether a candidate elected to district office is qualified to hold that office. Clarifies which of two deadlines applies to filing statements of contributions and expenditures in certain circumstances. Formalizes process for non-affiliated voter to apply to vote in major political party primary. Authorizes a candidate or the treasurer of a principal campaign committee, petition committee or political committee to amend a statement of organization within five business day of filing, to include financial account information. Modifies time periods relating to write-in candidates and district election determinations. Modifies terminology and makes other technical adjustments. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Ballot titles and signature gathering
- Voter privacy
- Reprinting ballots and mailing military and overseas ballots
- Opening bank accounts
- Electronic signature sheets

EFFECT OF AMENDMENT:

Prohibits disclosure of certain voter-related information. Includes certain voter-related information in lists maintained by county clerks and Secretary of State and directs Secretary to make list available each business day during election period. Requires that final certified ballot title be included on official template of cover and signature sheets of initiative petition. Caps the number of signatures that may be included on a prospective petition to initiate a state measure at 2,000. Directs elections officer to reprint ballot, if officer determines at least 61 days before election that candidate has died, withdrawn or is not qualified for office. Eliminates obligation of district elections official to notify county clerk whether a candidate elected to district office is qualified to hold that office.

BACKGROUND:

In many legislative sessions, an omnibus, election-related bill is brought forward by affected stakeholders, including the Association of County Clerks and the Secretary of State's Office. The purpose of these bills vary from resolving statutory contradictions and aligning statutory time periods to clarifying legislative intent and repealing outdated statutes. Senate Bill 1510-A is the omnibus measure for 2018. The bill addresses voter records, initiative petitions and reporting requirements, and makes a number of process and technical changes to election law.

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Senate Bill 1510-A prohibits the disclosure of certain information contained in a voter's registration file, including the Social Security Number and Oregon Driver License number. The bill provides that other information in the file, including contact, precinct and voting information, must be included in certain publicly available lists and requires the Secretary of State to update voting lists on a daily basis during the election period.

To initiate a state measure, Oregon law requires that a person submit a prospective petition, containing at least 1,000 signatures, to the Secretary of State. The prospective petition is then provided to the Attorney General for the creation of a certified ballot title. If the ballot title is not challenged in the Oregon Supreme Court, the cover of the petition must contain the ballot title certified by the Attorney General and the Secretary of State must provide the official template of the cover and signature sheets to the chief petitioner within three days. If the ballot title is challenged in the Oregon Supreme Court, the cover of the initiative petition must contain the ballot title certified by the Court and the Secretary of State must provide the chief petitioner with the official template within three days. Senate Bill 1510-A establishes a maximum of 2,000 signatures on a prospective petition and, if the ballot title is subject to review by the Oregon Supreme Court, expressly prohibits the issuance of an official template, until the ballot title certified by the Court can be included.

Under current law, the general rule is that campaign contributions and expenditures must be reported within 30 days. If a contribution or expenditure is not reported by the 43rd day before the election, a report is required no later than the 35th day before an election. For a narrow subset of contributions and expenditures (i.e. those made between 73 and 66 days before an election), two different deadlines apply. Senate Bill 1510-A clarifies that the earlier of the two deadlines is controlling.

When a candidate or the treasurer of a principle campaign committee, petition committee or political committee files a statement of organization, current law requires the inclusion of bank account information. Not infrequently, banks require that the committee be in existence before they will open an account. Senate Bill 1510-A provides a grace period of five business days to update the statement with the required bank account information.

If the Secretary of State or a county or city clerk determines, more than 47 days before an election, that a candidate for office has died, withdrawn or is not qualified to hold the office, current law prohibits the election official from including the candidate's name on the ballot and requires that any printed ballots be "erased or canceled." Senate Bill 1510-A instead directs these officials to "reprint" the ballots and moves the deadline forward two weeks, to account for the printing and mailing of overseas and military ballots.

Finally, Senate Bill 1510-A makes a number of technical adjustments to provisions addressing timing, dollar amounts, geographical descriptions and the ordering of candidates on the ballot.