

## HB 2681 -3 STAFF MEASURE SUMMARY

### House Committee On Rules

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**Meeting Dates:** 3/11, 3/30

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#### WHAT THE MEASURE DOES:

Requires each county clerk to file an annual report by April 1 of each year with the Secretary of State that identifies each elector whose registration the clerk moved to inactive status during the previous calendar year and specifies the reason the registration of each elector identified was moved to inactive status. Requires first report by April 1, 2023. Prohibits registration of an elector from being considered inactive due to an elector not voting or not updating the elector's registration for any period of time. Requires notice to elector no earlier than 70 days and no later than 60 days before first primary election and general election immediately following the date on which the elector's registration becomes inactive if registration is made inactive due to failure to provide evidence disproving a challenge that the elector signatures on a return identification envelope and voter registration record do not match. Requires county clerk to mail a notice between 60 to 70 days prior to both the 2022 primary and general elections to each elector whose registration is inactive and for whom the county clerk has a valid mailing address to provide information on how the elector can reactivate the elector's registration. Takes effect 91 days following adjournment sine die.

#### ISSUES DISCUSSED:

- Messaging to inactive voter
- Impact of Department Motor Vehicle information update to voter status
- Clarifying the 2019 change prohibiting making a voter inactive due to inactivity
- Mismatched signature that are not resolved will still result in inactive status
- How voting lists are maintained
- Curing after an election or notification prior to the next election

#### EFFECT OF AMENDMENT:

-3 Replaces measure. Prohibits registration of an elector from being considered inactive due to an elector not voting or updating the elector's registration for any period of time. Clarifies that elector is active voter if the only reason for the registration of an elector being considered inactive is that the elector neither voted nor updated the elector's registration for any period of time. Requires county clerk to mail a notice to each elector whose registration is considered inactive due to nonmatching signature or name change as of the 75th day before the date of a primary election or general election and for whom the county clerk has a valid and current mailing address. Establishes notice requirements. Allows county clerk to send notices prior to elections other than the primary or general election. Takes effect 91 days following adjournment sine die.

*FISCAL: May have fiscal impact, but no statement yet issued*

*REVENUE: No revenue impact*

#### BACKGROUND:

An active voter can become inactive due to: (1) an undeliverable ballot or other official election mail; (2) a challenged ballot; (3) not voting or having any registration activity during the prior 10 years; or (4) being incarcerated due to a felony conviction. After changing an elector's status to inactive, the county sends a Voter Confirmation Card (VCC), which can be forwarded. The VCC asks the inactive voter to update their address or to let the county know that they have moved out of state. County elections officials may automatically update registrations with change of address information received from the National Change of Address service, Oregon

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*This summary has not been adopted or officially endorsed by action of the committee.*

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Driver and Motor Vehicles Division, or the voter.

Once a ballot is received, elections officials verify the signature on the return envelope by matching it against the voter registration card signature on file. If the signature does not match the voter registration signature, then the official sends a notice and registration form to the voter to resolve the discrepancy (challenged ballot). The voter then has 14 days after the election to resolve the missing or nonmatching signature. If the voter does not respond, the county clerk places the voter into an inactive status after the 14th day following the election.

House Bill 2681 prohibits county clerks from moving a voter to inactive status for inactivity and requires notice prior to the primary and general elections following when a voter is made inactive for failing to resolve a nonmatching signature on a ballot and voter registration card.