

HB 3291 -2 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 4/8, 5/14

WHAT THE MEASURE DOES:

Requires Secretary of State (SOS) to conduct study and analyze best practices for financing electoral campaigns. Requires SOS to develop recommendations regarding most effective method for financing electoral campaigns in Oregon. Requires SOS to submit report to interim legislative committees detailing recommendations by September 15, 2022. Sunsets January 2, 2023.

ISSUES DISCUSSED:

- Addressing Secretary of State technical issues
- Extension of challenged ballot period as a result of extending time period to receive ballots
- Evolution on the restriction on opening ballots from election day to seven days before to upon receipt
- Use of postal indicator
- Impact to candidates
- Current perception that voters can mail ballots on election day

EFFECT OF AMENDMENT:

-2 Replaces the measure. Allows ballot returned by mail to have a postal indicator showing that the ballot was mailed not later than the date of the election and received at the office of the county clerk not later than seven calendar days after the date of the election. Establishes requirements for return identification envelope to include signature of elector, signature attestation, and summary of penalties for knowingly making a false statement, oath, or affidavit under the election laws. Establishes return identification envelope provisions for military or overseas electors. Considers ballot to be mailed on election date if postal indicator is not present or legible and ballot is received not later than seven days after the election. Requires ballots returned by means other than mail to be received by 8 p.m. on election day. Authorizes Secretary of State (SOS) to establish by rule a procedure for announcing the status of the tally of the ballots received after the date of the election. Extends certain deadlines for county clerks and SOS after election. Extends deadline to disprove a challenged ballot for missing or not matching signature. Changes election date from the second Tuesday in September to fourth Tuesday in August. Allows county clerks to open return identification envelopes of ballots and any used secrecy envelopes of ballots and begin scanning ballots into a vote tally system upon receipt. Repeals provision allowing the omission of city, county, or district measure ballot title, explanatory statement, and all arguments from a county voters' pamphlet. Applies to elections held on or after January 1, 2022.

REVENUE: May have revenue impact, but no statement yet issued

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

BACKGROUND:

In Oregon, ballots must be received by the county, either through the mail or at a drop site within the county, by 8:00 p.m. on the day of the election. The date on the postmark does not count. If a voter uses a ballot drop site in a county other than the one in which they are registered, elections officials mark the ballots as received "on time" and forward them on to the appropriate county. Oregon is one of 32 states that require ballots (either vote-by-mail or absentee) to be returned on election day to be counted. Other states have different requirements for counting ballots, including postmarks by election day and receipt within a certain number of days after election day.

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After election day, county elections officials resolve outstanding ballot issues, compile results, validate outcomes, and transmit results to the Secretary of State. Counties certify certain results not later than 20 days after election day. The Secretary of State must certify certain election results not later than 30 days following the election.

House Bill 3291 requires the Secretary of State to conduct study and analyze best practices for financing electoral campaigns.