

House Bill 2651

Sponsored by Representative POST; Representatives NEARMAN, OWENS (Presession filed.)

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**.

States explicitly that voter's political party affiliation may be changed only by voter.

Requires Department of Transportation to ask whether person who may qualify wants to participate in automatic voter registration or automatic update of voter registration. Prohibits department from transmitting material for person who does not want to participate to Secretary of State.

Requires department to inform each person who wants to be automatically registered to vote or to have voter information automatically updated about address confidentiality programs.

Extends period person has to return notification from Secretary of State before person is automatically registered to vote from 21 days to 30 days.

Requires department to adopt uniform policy regarding whether and how to permit voters to directly request political party affiliation.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to voter registration; creating new provisions; amending ORS 247.017; and prescribing an
3 effective date.

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

5 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS chapter 247.**

6 **SECTION 2. (1)(a) Notwithstanding any other provision of law, and except as provided in**
7 **paragraph (b) of this subsection, once an elector has adopted a political party affiliation, the**
8 **political party affiliation of the elector may be changed only by the elector.**

9 **(b) This subsection does not apply to an elector who loses an affiliation with a political**
10 **party when the elector's registration is cancelled under ORS 247.555 or when the elector be-**
11 **comes an inactive elector under ORS 247.013 or 247.563.**

12 **(2) Each time an elector changes the elector's affiliation with a political party, the Sec-**
13 **retary of State shall:**

14 **(a) Send the elector a voter notification electronic mail alert stating that the change in**
15 **political party affiliation has been made, if the secretary has the electronic mail address for**
16 **the elector; or**

17 **(b) Send a voter notification card by nonforwardable mail to the elector as provided in**
18 **ORS 247.181 stating that the change in political party affiliation has been made, if the sec-**
19 **retary does not have the electronic mail address for the elector.**

20 **(3) The Secretary of State may adopt rules necessary to implement this section.**

21 **SECTION 3. ORS 247.017, as amended by section 23c, chapter 701, Oregon Laws 2019, is**
22 **amended to read:**

23 247.017. (1) The Secretary of State shall by rule establish a schedule by which the Department
24 of Transportation shall provide to the secretary electronic records containing the legal name, age,
25 residence and citizenship information for, and the electronic signature of, each person who meets
26 qualifications identified by the secretary by rule **and who has not opted out of being registered**

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 to vote, or of having the individual's voter registration updated, in the manner provided by
2 subsection (2) of this section.

3 (2)(a) The Department of Transportation shall by rule adopt a procedure to ensure that
4 at each instance where a person interacts with an employee of the department and provides
5 information that may result in the department providing the electronic record for, and sig-
6 nature of, the person to the Secretary of State under subsection (1) of this section:

7 (A) The person who provides the information is asked if the person would like to be au-
8 tomatically registered to vote or to have the voter information of the person automatically
9 updated;

10 (B) The employee of the department records whether the person answered the questions
11 in subparagraph (A) of this paragraph with a "yes" or a "no"; and

12 (C) The employee of the department informs each person who answers the questions
13 under subparagraph (A) of this paragraph in the affirmative about the existence of, and
14 qualifications for, having the address of the person exempt from disclosure under ORS
15 247.965 or the Address Confidentiality Program under ORS 192.820 to 192.868.

16 (b) The department may provide to the Secretary of State the electronic record for, and
17 signature of, a person under subsection (1) of this section only if the person answered the
18 questions under paragraph (a)(A) of this paragraph in the affirmative.

19 [(2)] (3) Upon receiving the electronic record for, and electronic signature of, a person described
20 in subsection (1) of this section, the Secretary of State shall provide the information to the county
21 clerk of the county in which the person may be registered as an elector. The secretary or county
22 clerk shall notify each person of the process to:

23 (a) Decline being registered as an elector.

24 (b) Adopt a political party affiliation.

25 [(3)] (4) If a person notified under subsection [(2)] (3) of this section does not decline to be
26 registered as an elector within [21] 30 calendar days after the Secretary of State or county clerk
27 issues the notification, the person's electronic record and electronic signature submitted under sub-
28 section (1) of this section will constitute a completed registration card for the person for purposes
29 of this chapter. The person shall be registered to vote if the county clerk determines that the person
30 is qualified to vote under Article II, section 2, of the Oregon Constitution, and the person is not
31 already registered to vote.

32 [(4)] (5) A county clerk may not send a ballot to, or add to an elector registration list, a person
33 who meets eligibility requirements until at least [21] 30 calendar days after the Secretary of State
34 or county clerk provided notification to the person as described in subsection [(2)] (3) of this section.

35 [(5)] (6) In addition to providing electronic records to the Secretary of State under subsection
36 (1) of this section, the Department of Transportation:

37 (a) Shall by rule adopt a policy that sets forth whether and how department employees
38 will notify or permit a person whose electronic records will be provided to the Secretary of
39 State under subsection (1) of this section to directly request to be affiliated with a political
40 party. The policy adopted under this paragraph must be:

41 (A) Consistent with all state and federal laws; and

42 (B) Uniformly followed by all department employees.

43 (b) May by rule develop, and require the availability or use of, any form or application the de-
44 partment determines is necessary to ensure compliance with the voter registration provisions of the
45 National Voter Registration Act of 1993 (P.L. 103-31).

1 [(6)] (7) The Secretary of State shall adopt rules required to implement subsections (1) [to (4)]
2 **and (3) to (5)** of this section.

3 **SECTION 4. This 2021 Act takes effect on the 91st day after the date on which the 2021**
4 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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