

House Bill 3021

Sponsored by Representative PHAM

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**.

Requires Secretary of State to create and make publicly available list of five most common languages spoken by residents of state.

Requires Secretary of State and county to ensure state voters' pamphlet and county voters' pamphlet are translated into each of five identified languages and to make translated voters' pamphlets available on county website. Requires voters' pamphlets to include, in each of five identified languages, website address for translated voters' pamphlet.

Applies to voters' pamphlets distributed on or after January 1, 2023.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to multilingual election materials; creating new provisions; amending ORS 251.026 and
3 251.315; and prescribing an 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 251.**

6 **SECTION 2. (1) The Secretary of State shall create and make publicly available a list of**
7 **the five most common languages spoken by residents of this state. The secretary must up-**
8 **date the list created under this subsection on a biennial basis.**

9 **(2) For each state voters' pamphlet and county voters' pamphlet mailed to residents of**
10 **a county, the Secretary of State and the county clerk shall:**

11 **(a) Ensure the voters' pamphlet is professionally translated into each language identified**
12 **by the Secretary of State under subsection (1) of this section for posting on the website of**
13 **the county;**

14 **(b) Make each translation of the voters' pamphlet available on the website of the county;**
15 **and**

16 **(c) Prominently provide the website address for each translation in the manner set forth**
17 **in ORS 251.026 and 251.315.**

18 **SECTION 3. ORS 251.026 is amended to read:**

19 251.026. (1) The Secretary of State shall prepare and have printed in the voters' pamphlet for
20 the state primary election, the general election and any special election described in ORS 251.022
21 a statement containing, if applicable:

22 (a) Requirements for a citizen to qualify as an elector.

23 (b) When an elector is required to register or update a registration.

24 (c) In the voters' pamphlet for the primary election, a statement of the duties and responsibil-
25 ities of a precinct committeeperson to be elected at the primary election.

26 (d) Any other information the Secretary of State considers relevant to the conduct of the
27 election.

28 (2) The Secretary of State, **in cooperation with the county clerks**, shall include:

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 (a) A statement on the cover of the voters' pamphlet that the pamphlet may be used to assist
2 electors in voting[.]; and

3 (b)(A) **Statements on the first page of the voters' pamphlet that, for residents of each**
4 **county to which the voters' pamphlet is distributed:**

5 (i) **Are written in the five languages identified by the Secretary of State under section 2**
6 **of this 2021 Act;**

7 (ii) **Explain that an electronic copy of the voters' pamphlet is publicly available in that**
8 **language; and**

9 (iii) **Provide the website address to the translated voters' pamphlet.**

10 (B) **The statements required under subparagraph (A) of this paragraph must be written**
11 **in at least 12-point boldfaced type.**

12 (C) **The Secretary of State may adopt rules necessary to implement this paragraph.**

13 (3) The Secretary of State may include in the voters' pamphlet the following information:

14 (a) Maps showing the boundaries of senatorial and representative districts.

15 (b) Voter registration forms.

16 (c) Elector instructions, including the right of an elector to request a second ballot if the first
17 ballot is spoiled and the right of an elector to seek assistance in marking the ballot.

18 (4)(a) The name of the county clerk or other filing officer may not appear in the voters' pamphlet
19 in the county clerk's or filing officer's official capacity if the county clerk or filing officer is a
20 candidate in the election for which the voters' pamphlet is printed.

21 (b) As used in this subsection, "filing officer" has the meaning given that term in ORS 254.165.

22 **SECTION 4.** ORS 251.315 is amended to read:

23 251.315. (1) If a county produces a county voters' pamphlet, the county voters' pamphlet shall
24 include, when applicable, at least the following information:

25 (a) Requirements for a citizen to qualify as an elector.

26 (b) Requirements for registration and updates of registration.

27 (c) Elector instructions, including the right of an elector to request a second ballot if the first
28 ballot is spoiled and the right of an elector to seek assistance in marking the ballot.

29 (d) The hours and locations of places designated under ORS 254.470 for deposit of official ballots.

30 (e) Any portraits and statements relating to candidates submitted in accordance with the pro-
31 visions of ORS 251.305 to 251.435.

32 (f) Any ballot titles, explanatory statements and arguments submitted in accordance with the
33 provisions of ORS 251.305 to 251.435.

34 (g)(A) **Statements on the first page of the voters' pamphlet that:**

35 (i) **Are written in the five languages identified by the Secretary of State under section 2**
36 **of this 2021 Act;**

37 (ii) **Explain that an electronic copy of the voters' pamphlet is publicly available in that**
38 **language; and**

39 (iii) **Provide the website address to the translated voters' pamphlet.**

40 (B) **The statements required under subparagraph (A) of this paragraph must be written**
41 **in at least 12-point boldfaced type.**

42 (C) **The Secretary of State may adopt rules necessary to implement this paragraph.**

43 [(g)] (h) Such other information as the county clerk considers to be appropriate or necessary to
44 inform the voters.

45 (2) The county clerk shall mail or otherwise distribute the county voters' pamphlet not later

1 than the last day for mailing ballots to electors as provided in ORS 254.470.

2 (3)(a) The name of the county clerk or other filing officer may not appear in the county voters'
3 pamphlet in the county clerk's or filing officer's official capacity if the county clerk or filing officer
4 is a candidate in the election for which the voters' pamphlet is printed.

5 (b) As used in this subsection, "filing officer" has the meaning given that term in ORS 254.165.

6 **SECTION 5. Section 2 of this 2021 Act and the amendments to ORS 251.026 and 251.315**
7 **by sections 3 and 4 of this 2021 Act apply to all voters' pamphlets distributed on or after**
8 **January 1, 2023.**

9 **SECTION 6. This 2021 Act takes effect on the 91st day after the date on which the 2021**
10 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

11