

Requested by Representative PHAM

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2745**

1 On page 1 of the printed bill, delete lines 5 through 30 and delete pages  
2 2 and 3 and insert:

3 **“SECTION 1.** ORS 247.171 is amended to read:

4 “247.171. (1) Except as provided in this subsection, the Secretary of State  
5 shall design, prepare and distribute state voter registration cards. The Sec-  
6 retary of State shall also distribute federal registration cards. Any person  
7 may apply in writing to the Secretary of State for permission to print, copy  
8 or otherwise prepare and distribute the registration cards designed by the  
9 Secretary of State. The secretary may revoke any permission granted under  
10 this subsection at any time. All registration cards shall be distributed to the  
11 public without charge.

12 “(2) The Secretary of State shall approve any voter registration applica-  
13 tion form developed for use by any agency designated as a voter registration  
14 agency under ORS 247.208.

15 “(3) Each voter registration card designed or approved by the Secretary  
16 of State shall describe the penalties for knowingly supplying false informa-  
17 tion on the registration card and shall contain space for a person to provide  
18 the following information:

19 “(a) Full name;

20 “(b) Residence address, mailing address or any other information neces-  
21 sary to locate the residence of the person offering to register to vote;

1 “(c) The name of the political party with which the person is affiliated,  
2 if any;

3 “(d) Date of birth;

4 “(e) An indication that the person is a citizen of the United States; and

5 “(f) A signature attesting to the fact that the person is qualified to be an  
6 elector.

7 “**(4)(a) Any form containing a voter registration card must also in-**  
8 **clude space where a person has the option to provide the person’s:**

9 “**(A) Race;**

10 “**(B) Ethnicity; and**

11 “**(C) Preferred language.**

12 “**(b) The Secretary of State shall ensure that any form containing**  
13 **a voter registration card distinctively emphasizes that the demo-**  
14 **graphic information described in this subsection is optional and that**  
15 **a qualified person may register to vote or update a registration to vote**  
16 **without providing the demographic information.**

17 “[~~4~~] **(5)** Any form containing a voter registration card may also include  
18 space for a person to provide:

19 “(a) A telephone number where the person may be contacted; and

20 “(b) If previously registered to vote in this state, the name then supplied  
21 by the person and the county and, if known, the address of previous regis-  
22 tration.

23 “[~~5~~] **(6)** A person shall not supply any information under subsection (3)  
24 or [~~4~~] **(5)** of this section knowing it to be false.

25 “[~~6~~] **(7)** A county clerk or other person accepting registration cards shall  
26 not request any information unless it is authorized by state or federal law.

27 “[~~7~~] **(8)** A person shall attest to the information supplied on the voter  
28 registration card by signing the completed registration card.

29 “[~~8~~] **(9)** Any completed and signed registration card described in sub-  
30 section (3) of this section shall be the official registration card of the elector.

1       **“SECTION 2.** ORS 247.019 is amended to read:

2       “247.019. (1) The Secretary of State by rule shall adopt an electronic voter  
3 registration system to be used by qualified persons who have a valid:

4       “(a) Oregon driver license, as defined in ORS 801.245;

5       “(b) Oregon driver permit, as defined in ORS 801.250; or

6       “(c) State identification card, issued under ORS 807.400.

7       “(2)(a) The electronic voter registration system shall allow a qualified  
8 person to **electronically**:

9       **“(A) Complete and deliver a registration card [*electronically*]; and**

10       **“(B) Provide the optional demographic information described in**  
11 **ORS 247.171 (4).**

12       **“(b) The electronic voter registration system must distinctively**  
13 **emphasize that the demographic information that may be provided**  
14 **under paragraph (a)(B) of this subsection is optional and that a qual-**  
15 **ified person may register to vote or update a registration to vote**  
16 **without providing the demographic information.**

17       “(c) A registration card delivered under this section is considered deliv-  
18 ered to the Secretary of State for purposes of this chapter.

19       “(3) A person who **electronically** completes a registration card [*electron-*  
20 *ically*] under this section consents to the use of the person’s driver license,  
21 driver permit or state identification card signature for voter registration  
22 purposes.

23       “(4) The Department of Transportation shall provide to the Secretary of  
24 State a digital copy of the driver license, driver permit or state identification  
25 card signature of each person who completes a registration card under this  
26 section.

27       **“SECTION 3.** ORS 247.948 is amended to read:

28       “247.948. (1)(a) Except as set forth in ORS 247.965 or 247.967, or as oth-  
29 erwise prohibited by law, the following information about an elector con-  
30 tained within an elector’s registration file is subject to inspection as a public

1 record under ORS 192.311 to 192.478 and shall be included in lists delivered  
2 under ORS 247.940 and 247.945:

3 “(A) The major political party or minor political party, if any, with which  
4 an elector is affiliated;

5 “(B) The residence address of an elector;

6 “(C) The address where an elector receives a ballot;

7 “(D) The year in which an elector was born;

8 “(E) The name or number of the precinct in which the elector resides;

9 “(F) The precinct split of an elector;

10 “(G) The administrative number for an elector that is used by the Secre-  
11 tary of State to determine which elections an elector may vote in;

12 “(H) The telephone number of an elector;

13 “(I) Whether or not an elector voted in previous elections; and

14 “(J) During an election period, the ballot status of an elector. In order  
15 to comply with this subparagraph, during the election period, the secretary  
16 shall maintain a list of the ballot status of electors. The secretary shall up-  
17 date the list, and make available an updated version of the list, on each  
18 business day of the election period.

19 “(b) As used in this subsection:

20 “(A) ‘Ballot status’ means whether or not an elector has cast a ballot in  
21 the election;

22 “(B) ‘Election period’ means the period of time beginning on the date that  
23 ballots for an election are first mailed to electors and ending on the date of  
24 the election; and

25 “(C) ‘Precinct split’ means the enhanced precinct name or number used  
26 to determine the specific ballot configuration that will be received by an  
27 elector who resides in a precinct that:

28 “(i) Has more than one election district subdivision; and

29 “(ii) Requires more than one ballot configuration for electors in the pre-  
30 cinct.

1 “(2) Except as set forth in ORS 247.973 or as otherwise required by law,  
2 the following information about an elector contained within an elector’s  
3 registration file is not subject to inspection as a public record under ORS  
4 192.311 to 192.478 and may not be disclosed by the Secretary of State or a  
5 county clerk:

6 “(a) The birth month of an elector;

7 “(b) The day of the month on which an elector was born;

8 “(c) The Social Security number of an elector;

9 “(d) The driver license number of an elector; and

10 “(e) The signature of an elector.

11 **“(3) Information pertaining to the race, ethnicity or preferred lan-**  
12 **guage of an elector that is contained within an elector’s registration**  
13 **file and disclosed as a public record under section 5 of this 2021 Act**  
14 **may not be included in lists delivered under ORS 247.940 and 247.945.**

15 “[3] (4) Nothing in this section is intended to limit or restrict the dis-  
16 closure of information that is otherwise subject to inspection as a public  
17 record under ORS 192.311 to 192.478.

18 **“SECTION 4. Section 5 of this 2021 Act is added to and made a part**  
19 **of ORS 192.311 to 192.478.**

20 **“SECTION 5. (1) Except as provided in subsection (2) of this section,**  
21 **demographic information about electors may not be disclosed in re-**  
22 **sponse to a request to inspect public records under ORS 192.311 to**  
23 **192.478.**

24 **“(2) The Secretary of State shall disclose demographic information**  
25 **about electors in response to a request to inspect public records under**  
26 **ORS 192.311 to 192.478 that is made by:**

27 **“(a) A culturally specific organization;**

28 **“(b) A community-based organization;**

29 **“(c) A public body;**

30 **“(d) A social service organization that does culturally competent**

1 **work on issues of social welfare; or**  
2 **“(e) A bona fide representative of the news media.**  
3 **“(3) The Secretary of State:**  
4 **“(a) Shall define by rule:**  
5 **“(A) ‘Bona fide representative of the news media’;**  
6 **“(B) ‘Cultural community’; and**  
7 **“(C) ‘Culturally competent work on issues of social welfare’; and**  
8 **“(b) May adopt any additional rules necessary to effectively imple-**  
9 **ment this section.**  
10 **“(4) As used in this section:**  
11 **“(a) ‘Community-based organization’ means a not-for-profit organ-**  
12 **ization that is representative of a community or significant segments**  
13 **of a community and is located within, or in close proximity to, the**  
14 **community it serves. A culturally specific organization that has an**  
15 **expressed mission of providing services to specific populations within**  
16 **a community may qualify as a community-based organization.**  
17 **“(b) ‘Culturally specific organization’ means an organization that**  
18 **serves a particular cultural community, is primarily staffed and led**  
19 **by members of that community and that demonstrates:**  
20 **“(A) Intimate knowledge of the lived experience of the community,**  
21 **including the impact of structural and individual racism or discrimi-**  
22 **nation on the community;**  
23 **“(B) Knowledge of specific disparities, barriers or challenges docu-**  
24 **mented in the community;**  
25 **“(C) Commitment to the community’s strength-based and self-**  
26 **driven thriving and resilience; and**  
27 **“(D) The ability to describe and adopt the organization’s services**  
28 **to the community’s cultural practices, health and safety beliefs, posi-**  
29 **tive cultural identity and religious beliefs.**  
30 **“(c) ‘Demographic information about electors’ has the meaning**

1 given that term in section 7 of this 2021 Act.

2 **“SECTION 6.** Section 7 of this 2021 Act is added to and made a part  
3 of ORS chapter 247.

4 **“SECTION 7.** (1) A person who receives demographic information  
5 about electors under section 5 of this 2021 Act in response to a request  
6 to inspect public records under ORS 192.311 to 192.478 may not use any  
7 demographic information about electors for commercial purposes or  
8 sell the information to candidates or political committees for political  
9 purposes.

10 **“(2)** The Secretary of State shall publish and make easily accessible  
11 to the public a list of each person who received demographic infor-  
12 mation about electors under section 5 of this 2021 Act.

13 **“(3)** As used in this section, ‘demographic information about elec-  
14 tors’ means information pertaining to the race, ethnicity or preferred  
15 language of an elector that was provided to the Secretary of State as  
16 part of a voter registration card, or that is otherwise contained within  
17 an elector’s registration file.

18 **“SECTION 8.** ORS 260.993 is amended to read:

19 **“260.993.** (1) The penalty for violation of ORS 260.532 is limited to that  
20 provided in ORS 260.532 (6) and (8).

21 **“(2)** Violation of ORS 247.125 (1), 247.171 [(5)] (6), 247.420 (2), 253.710,  
22 260.402, 260.555, 260.558, 260.575, 260.645 or 260.665 (2) or (3) involving any  
23 action described in ORS 260.665 (2)(d) to (f) or 260.715 is a Class C felony.

24 **“(3)** Violation of ORS 260.695 (4) is a Class A misdemeanor.

25 **“(4)** Violation of ORS 247.171 [(6)] (7) is a Class C misdemeanor.

26 **“SECTION 9.** Sections 5 and 7 of this 2021 Act and the amendments  
27 to ORS 247.019, 247.171, 247.948 and 260.993 by sections 1 to 3 and 8 of  
28 this 2021 Act become operative on January 1, 2022.

29 **“SECTION 10.** The Secretary of State, and voter registration agen-  
30 cies designated by the secretary under ORS 247.208, may take any

1 action before the operative date specified in section 9 of this 2021 Act  
2 that is necessary to enable the secretary, and designated voter regis-  
3 tration agencies, to exercise, on and after the operative date specified  
4 in section 9 of this 2021 Act, all of the duties, functions and powers  
5 conferred on the secretary, and designated voter registration agencies,  
6 by sections 5 and 7 of this 2021 Act and the amendments to ORS  
7 247.019, 247.171, 247.948 and 260.993 by sections 1 to 3 and 8 of this 2021  
8 Act.

9 “SECTION 11. This 2021 Act takes effect on the 91st day after the  
10 date on which the 2021 regular session of the Eighty-first Legislative  
11 Assembly adjourns sine die.”.

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