



## SENATE RULES & EXECUTIVE APPOINTMENTS

Presenters: Jessica Ventura & Deborah Scroggin

February 3, 2022

Executive Office

# **SB 1527: Strengthen existing elections laws**

These technical improvements make critical updates to current voter access laws:

1. Section 2: Updates to Methods of Recount Notification- ORS 258.161(8)
2. Section 3: Updates to Recall Signature Verification Dates – ORS 249.87
3. Section 4: Updates to Recount Deadlines - ORS 258.161(8)
4. Section 5: Updates to Notices To Subjects of Complaints – ORS 260.345(3)
5. Section 6: Technical Updates to HB 3291 (2021), Postmark Bill
6. Section 7: Reintroduction of SB 691-A (2021)

# SB 1527: METHODS OF RECOUNT NOTIFICATION

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## SECTION 2: ORS.258.190(2)

- The statute currently requires the SoS to notify affected candidates of a recount by certified or registered mail.
- Proposed change:

(2) If the demand for a recount of votes cast for a nomination or office is filed, the Secretary of State, not later than the third day after the filing of the first demand, shall notify the affected candidates that a recount is to be made in the precincts specified in the demand. The notice shall be by electronic mail or by certified or registered mail if an electronic email address for the affected candidate is unavailable. ~~that a recount is to be made in the precincts specified in the demand.~~

# SB 1527: RECALL SIGNATURE VERIFICATION DATES

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## SECTION 3: ORS.249.875

(1) A recall petition shall be void unless completed and filed not later than the ~~120<sup>th</sup>~~ day after filing the prospective petition described in ORS 249.865. Not later than the 90th day after filing the prospective petition the petition shall be submitted to the filing officer who shall verify the signatures not later than the ~~30<sup>th</sup>~~ day after the submission. The filed petition shall contain only original signatures. A recall petition shall not be accepted for signature verification if it contains less than 100 percent of the required number of signatures. The petition shall not be accepted for filing until 100 percent of the required number of signatures of electors have been verified.

(2) The provisions for verification of signatures on an initiative or referendum petition contained in ORS 250.105, are applicable to the verification of signatures on a recall petition.

# SB 1527: NOTICES TO SUBJECTS OF COMPLAINTS

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## SECTION 4: ORS.260.345(3)

(3) Upon receipt of a complaint under subsection (1) or (2) of this section the Secretary of State or Attorney General immediately shall examine the complaint to determine whether a violation of an election law or rule has occurred and shall make any investigation the Secretary of State or Attorney General considers necessary. Except as provided in this subsection, within three business days ~~48 hours~~ of receiving a complaint under subsection (1) or (2) of this section, the Secretary of State or Attorney General shall notify the person who is the subject of the complaint that a complaint has been received. If the Secretary of State or Attorney General receives a complaint or complaints involving 10~~25~~ or more individuals, political committees or petition committees in any 48~~24~~-hour period, the Secretary of State or Attorney General need not notify the persons who are the subjects of those complaints within three business days ~~48 hours~~ of receiving the complaints but shall notify those persons not later than 10 business days after receiving the complaint or complaints.

# SB 1527: Updates to Postmark Bill

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## BACKGROUND

- The bill passed in 2021.
- Treats as valid any mailed-in ballot that is postmarked on or before election day + received by the election officer within 7 calendar days of the election date.
- Moved quarterly election date from third Tuesday in September to fourth Tuesday in August.
- Allows county clerks to open + begin county ballots upon receipt.

# SB 1527: Updates to Postmark Bill

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## SECTION 5: Recount Deadlines

### ORS 258.161(8)

(8) Except as provided in subsection (9) of this section, the first demand shall be filed in the office of the Secretary of State not later than the ~~35th~~42nd day and a supplemental demand not later than the ~~45th~~52nd day after the date of the election in which votes were cast for the nomination, office, or measure.

# SB 1527: Updates to Postmark Bill

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## SECTION 6: UPDATE WRITE-IN DEADLINES PROPOSED CHANGES

**ORS 254.548  
(including HB  
3291 changes)**

(2) In the case of an individual nominated or elected by write-in votes to a public office:

(a) Not later than the ~~31<sup>st</sup>~~ 38<sup>th</sup> ~~39<sup>th</sup>~~ day after the election, the filing officer shall:

(A) Prepare and deliver by regular mail the form described in subsection (1) of this section to the individual; ~~and~~ or

(B) If the filing officer has the electronic mail address of the individual, prepare and deliver by electronic mail the form described in subsection (1) of this section to the individual;

(b) Not later than the ~~1<sup>st</sup>~~ 43<sup>rd</sup> day after the election, if the individual accepts the nomination or office, the individual shall sign and file the form with the filing officer; and

(c) Not later than the 45th day after the election, if the individual files the form by the deadline specified in paragraph (b) of this subsection, the filing officer shall prepare and deliver a certificate of nomination or election to the individual and, if applicable, issue a proclamation declaring the election of the candidate to the office.



# SB 1527: Updates to Postmark Bill

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## SECTION 7: UPDATE WRITE-IN DEADLINES FOR PRECINCT COMMITTEE PERSONS ELECTIONS

- ORS 248.023** (1) Not later than the ~~27<sup>th</sup>~~ day after a primary election, the county elections official shall mail a certificate of election to each newly elected precinct committeeperson within the county. The county elections official also shall mail an "Acceptance of Office" form to each person elected by write-in votes to the office of precinct committeeperson who was nominated under ORS 248.021. The form shall include a statement to be signed by the person elected that the person is qualified to hold the office.
- (2) A person elected by write-in votes to the office of precinct committeeperson shall be certified for the office by filing with the county elections official, not later than the ~~33<sup>rd</sup>~~~~27<sup>th</sup>~~ day after the date of the primary election, a signed "Acceptance of Office" form.
- (3) Not later than the ~~31<sup>st</sup>~~~~35<sup>th</sup>~~ day after a primary election, the county elections official shall prepare, maintain and furnish to the chairpersons of the respective retiring county central committees within the county and the chairpersons of the state central committees, a list of the party precinct committeepersons elected and certified. At the same time the county elections official shall declare the other offices of precinct committeeperson vacant.

# SB 1527: Updates to Postmark Bill

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## SECTION 8: UPDATE TERM OF OFFICE OF PRECINCT COMMITTEE PERSON

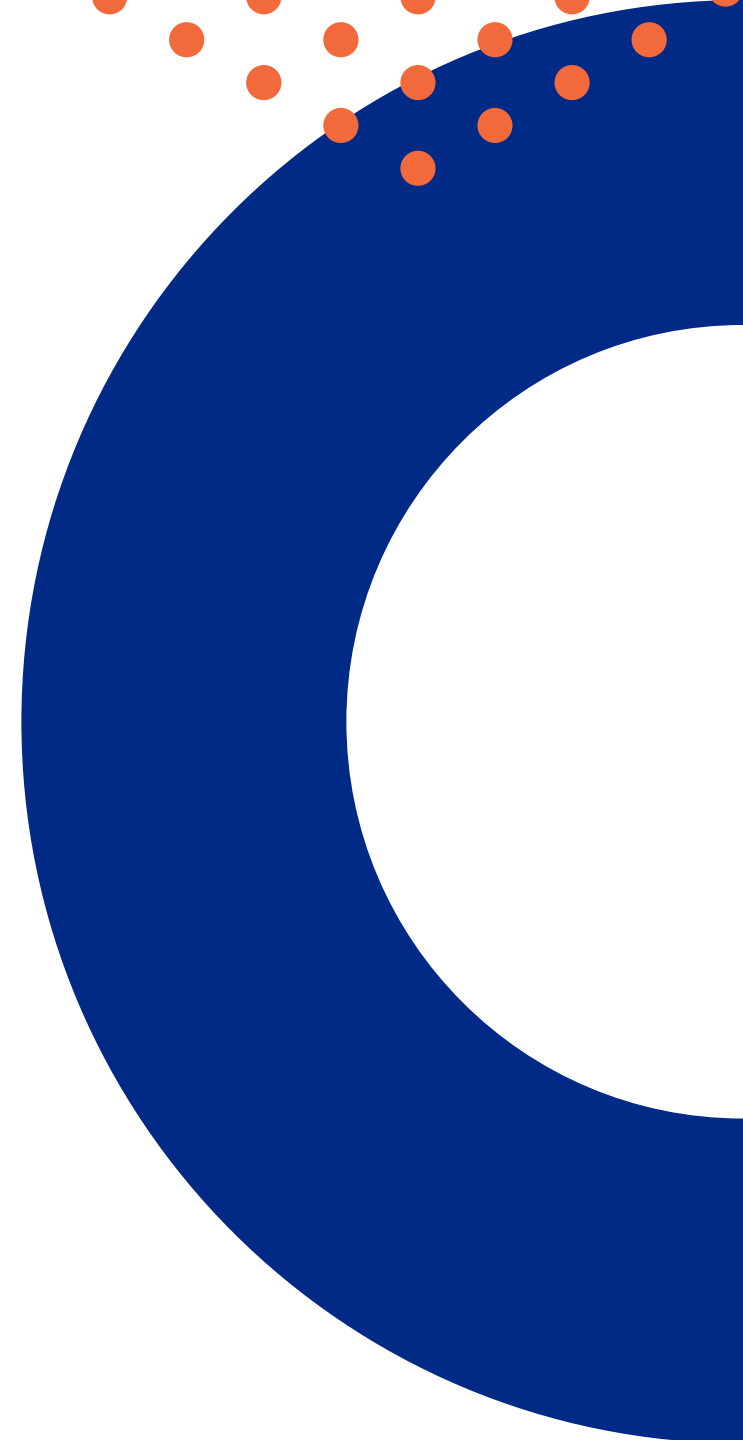
**ORS** (6) The term of office of a precinct committee person is  
**248.01** from the 3524th day after the date of the primary election  
**5(6)** until the 3524th day after the date of the next following  
primary election.

# **SECTION 9 : Authorizing SoS to Set Standards for Recounts Across the State**

## **ORS 258.150 (2)**

Requires SoS to ensure that county election officials conduct election recounts for federal offices, statewide offices, and statewide measure in a manner that is consistent, transparent, accurate, and pursuant to all applicable laws. Requires the county clerk(s) to notify the SoS about the date, time, and location of the recount and information about all aspects of the process. Clarifies certain aspects of the recount process.

**QUESTIONS?**





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