

THE PROBLEM

The Elections Division continuously identifies technical adjustments to various election laws where needed. The summary table below is the product of this process. We shared these changes with the Oregon Association of County Clerks and other partners before bringing these changes for your consideration. These changes will help us maintain uniformity in elections practices.

PROPOSED SOLUTION

Statute section to be updated	Language to be added or deleted (if available)	Problem: (<u>What is the problem?</u>)	Solution: (<u>How is it fixed?</u>)
ORS 251.026(2)(b) (A)	Statements in the information section of the voters' pamphlet on the pages immediately following the page containing the <i>[Secretary of State]</i> county clerk, filing office or other public elections official's letter, to the extent reasonably practicable, that, for resident of each county to which the voters' pamphlet is distributed:	Error in language: There is no Secretary of State letter in a county voters' pamphlet, only official communication from the county clerk, filing office or other public elections official .	Correct language to actual type of material included in a county pamphlet.
ORS 251.170 (3)(a)(B)	(B) The translation is filed by a candidate or the agent <i>[principal campaign committee]</i> of a candidate described in subparagraph (A) of this paragraph;	Error in language: Groups (i.e., committees) cannot technically file, as ORESTAR does not have shared logins, only individual logins. Additionally, allowing an agent to file aligns with related filing processes; ORS 251.065 1(a) and (2); See also definitions of agent and committees in ORS 260.039, 260.041, 260.005.	Correct language to match the only technical way a translation can be filed using the SOS electronic filing system.
ORS 251.170 (3)(a)(E)	Any translation filed under this paragraph is in one of the	Statewide and federal candidates submitting translated statements.	Allow statewide and federal

	<p>[five] most commonly spoken languages in this state or of any county the office represents, other than English, as listed by the Secretary of State under ORS 251.167.</p>	<p>The state's most common languages and a county's most common languages may not be the same (e.g., Marshallese).</p> <p>The intent of ORS 251.170 is to increase access to voters' own-language materials to assist voters in exercising voting rights. Expanding the eligible languages of submission for statewide or federal candidates from one of the five most common state languages listed in ORS 251.167(1)(a) to include any of the five most common county languages listed in ORS 251.167(1)(b) is appropriate.</p> <p>U.S. House of Rep. Office's jurisdictions are less than statewide and may cross county lines, so "languages of each county the office represents..." is appropriate.</p> <p>Removing the specific number of languages (five) and instead using the reference back to ORS 251.167, which defines the lists of language formulas, ensures that any future changes to language formulas in that statute will automatically be accurate/up to date in ORS 251.170 (3)(a)(E).</p>	<p>candidates to submit translated statements in the languages of the state and the office's election jurisdiction.</p>
ORS 251.170 (3)(b)(D)	<p>Any translation filed under this paragraph is in one of the [five] most commonly spoken languages in this state, or of any county the measure will</p>	<p>Filers of arguments in support of or opposition to measure submitting translated arguments</p>	<p>Allow arguments in support of and against statewide measures to be submitted as</p>

	<p>be voted on, other than English, as listed by the Secretary of State under ORS 251.167.</p>	<p>The state's most common languages and a county's most common languages may not be the same.</p> <p>The intent of ORS 251.170 is to increase access to voters' own-language materials to assist voters in exercising voting rights. Expanding the eligible languages of submission for statewide measure arguments from the five most common state languages listed in ORS 251.167(1)(a) to include the five most common county languages listed in ORS 251.167(1)(b) is appropriate.</p> <p>Removing the specific number of languages (five) and instead relying on the reference back to ORS 251.167, which defines the list of language formulas, ensures that any future changes to language formulas in that statute will automatically be accurate/up to date in ORS 251.170 (3)(b)(D).</p>	<p>translations in the languages of the state in the languages of the state and counties affected by the statewide measure.</p>
ORS 251.170 (3)(c)	<p>Translations of argument for a measure prepared by the Legislative Assembly under ORS 251.245 submitted by the Legislative Assembly, provided that any translation filed under this paragraph is in one of the [five] most commonly spoken languages in this state or of any county the measure will be voted on, other than English, as listed by the</p>	<p>Legislative Committee arguments in support or opposition to statewide measure</p> <p>The state's most common languages and a county's most common languages may not be the same.</p> <p>The intent of ORS 251.170 is to increase access to voters' own-language materials to assist voters in exercising voting rights. Expanding the eligible languages</p>	<p>Allow legislative arguments in support of statewide measures to be submitted as translations in the languages of the state and counties affected by the statewide measure.</p>

	Secretary of State under ORS 251.167.	<p>of submission for Legislative measure arguments from any of the five most common state languages listed in ORS251.167(1)(a) to include any of the five most common county languages listed in ORS 251.167(1)(b) is appropriate.</p> <p>Removing the specific number of languages (five) and instead relying on the reference back to ORS 251.167, which defines the list of language formulas, ensures that any future changes to language formulas in that statute will automatically be accurate/up to date in ORS 251.170 (3)(c)</p>	
ORS 254.485		If there is a lapse of time between the initial public certification test and the time ballot scanning begins, a repeat public certification test of vote tally equipment is required before scanning any ballots.	If the initial public certification test occurs immediately before ballot scanning begins, the test need not be repeated. Removing the repeat test requirement would be beneficial to counties.
ORS 247.176		There is no limit to the number of voter registration cards that must be provided by the Elections Division to requestors.	Limits an individual or entity to requesting 500 cards. SOS supplies PDF for anyone to print as needed.

250.125 (10)	(10) The financial estimate committee is created, consisting of the Secretary of State, the State Treasurer, the Director of the Oregon Department of Administrative Services, the Director of the Department of Revenue and a representative of a city, county or district with expertise in local government finance. The representative of a city, county or district shall be selected by the four other members of the financial estimate committee and shall serve for a term of two years that begins on July 1 of the even-numbered year.	Statute is not currently being followed under present language; changing the date puts it more in line with the Explanatory Statement and Financial Estimate process.	
254.555	Secretary of State's duties after election; Governor's proclamation. (1) Except as provided in ORS 254.548 and ORS 248.360 , not later than the 37th day after any election, the Secretary of State, regarding offices for which the secretary receives filings for nomination, shall:	<p>The postmark bill approved by the Legislature in 2021 extended the date when election results are certified. This extended date no longer aligns with federal law requirements for certifying presidential electors.</p> <p>The current certification date now comes <i>after</i> the date when federal law requires us to send the certificate of ascertainment, which tells the federal government which party's electors have won.</p>	The fix would extend the timeline by which Oregon certifies the results of presidential elections, allowing it to send the certificate of ascertainment to the federal government on time.

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