

HB 2107 -1, -2 STAFF MEASURE SUMMARY

House Committee On Rules

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/14, 4/13

WHAT THE MEASURE DOES:

Extends automatic voter registration to Oregon Health Authority (OHA) as of June 1, 2026. Requires Secretary of State (SOS) to establish by rule the schedule, format, and frequency for OHA to provide electronic records to SOS containing legal name, age, residence, and citizenship information and any electronic signature of each person deemed eligible to be qualified elector. Requires SOS to develop process to obtain electronic signature from Oregon Department of Transportation (ODOT) where not provided by OHA. Requires SOS or county clerk to notify each person of the process to decline registration or adopt political party affiliation. Establishes pilot program as of January 1, 2027, at Powder River Correctional Facility to provide updated identification card upon release to each adult in custody for the purpose of updating voter registration information. Requires SOS in consultation with county clerks, Department of Correction, and ODOT, to evaluate program effectiveness and report results to Legislative Assembly by September 15, 2028. Sunsets pilot program January 1, 2029. Allows agencies to take action prior to operative dates.

ISSUES DISCUSSED:

- Ways to keep voter rolls accurate and informing voters of those processes
- Expansion based on working with other agencies and data collection
- The number of nonaffiliated voters since Oregon Motor Voter
- Relationship to health information and privacy

EFFECT OF AMENDMENT:

-1 Replaces Sections 2-8 and 11. Extends automatic voter registration to qualifying transaction at qualified entity as of June 1, 2026. Defines qualified entity as Oregon Health Authority, State Department of Fish and Wildlife, gun dealer, county sheriff, or Secretary of State (SOS). Defines qualifying transaction as applying for hunting or fishing license, purchasing a firearm, applying for concealed handgun license, or registering business. Requires SOS to establish by rule the schedule, format, and frequency for qualified entity to provide electronic records to SOS containing legal name, age, residence, citizenship information, and electronic signature of each person deemed eligible to be qualified elector. Allows SOS to establish process to obtain any missing registration information from Department of Transportation not provided by qualified entity. Requires SOS or county clerk to notify each person of the process to decline registration or adopt political party affiliation. Allows SOS and qualified entities to take action prior to operative dates.

-2 Replaces the measure and removes pilot program. Extends automatic voter registration to Oregon Health Authority (OHA) as of June 1, 2026. Requires Secretary of State (SOS) to establish by rule the schedule, format, and frequency for OHA to provide electronic records to SOS containing legal name, age, residence, and citizenship information and any electronic signature of each person who is eligible to be qualified elector. Prohibits OHA from providing records for person who is not a United States citizen. Requires SOS to develop process to obtain electronic signature from Oregon Department of Transportation (ODOT) where not provided by OHA. Requires SOS or county clerk to notify each person of the process to decline registration, adopt political party affiliation, and provide a signature if signature was not provided by OHA or ODOT. Allows electronic record to constitute a completed registration card without signature. Requires SOS to adopt rules to ensure no ballot is counted for a

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person registered to vote where records do not contain an electronic signature. Allows agencies to take action prior to operative dates.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: No revenue impact

BACKGROUND:

Automatic voter registration (AVR) is a process where eligible voters are automatically registered to vote when they interact with certain government agencies, most commonly as an opt-out process following interactions with state Department of Motor Vehicles (DMV) offices. In 2016, Oregon became the first state to automatically register eligible citizens who are not currently registered to vote when they apply for an original, renewal, or replacement driver license, permit, or identification card through the DMV.

House Bill 2177 (2015) required the Oregon Department of Transportation, as a designated voter registration agency, to provide the Elections Division of the Secretary of State (SOS) with the electronic records of each person who may be eligible to vote after certain interactions with the DMV. The law, known as "Oregon Motor Voter," was enacted by the Legislative Assembly to modernize the federal "Motor Voter Act" that required DMVs in most states to offer voter registration services, primarily by asking customers if they would like to register. Under Oregon Motor Voter, if a person is not already registered to vote, they receive a card and a pre-paid postage return envelope from the SOS Elections Division following certain interactions with the DMV.

As of January 2022, 22 states and Washington, D.C., are categorized by the National Conference of State Legislatures as having enacted or implemented automatic voter registration.

House Bill 2107 expands AVR to the Oregon Health Authority from information provided to the Oregon Health Plan and establishes a pilot program at Powder River Correctional Facility to provide adults in custody an updated identification card upon release for the purpose of updating voter registration information.