

# House Bill 2208

Sponsored by Representatives SMITH DB, MORGAN (Pre-session filed.)

## 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**.

Makes in-person voting on date of election, rather than vote by mail, standard method for conducting election. Allows any elector to request ballot that may be voted by mail if elector is unable to vote in person on date of election. Retains vote by mail as primary method for conducting election for military and overseas electors and for electors who have mailing address outside of Oregon.

Requires that all ballots be returned by date of election.

Removes requirement that state pay postage for ballots returned by mail.

## A BILL FOR AN ACT

1  
2 Relating to elections; creating new provisions; amending ORS 192.842, 247.307, 247.948, 247.965,  
3 251.175, 251.315, 253.005, 253.065, 253.070, 253.585, 253.690, 254.321, 254.365, 254.408, 254.465,  
4 254.470, 254.474, 254.480, 254.482, 254.485, 260.665, 260.695 and 350.245; and repealing ORS  
5 254.458 and 254.473.

6 **Be It Enacted by the People of the State of Oregon:**

## ELECTIONS CONDUCTED IN PERSON ON DATE OF ELECTION

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10 **SECTION 1.** ORS 254.465 is amended to read:

11 254.465. (1) County clerks shall conduct all elections in this state [*by mail*] **in person, on the**  
12 **date of the election and at a voting booth maintained under ORS 254.474.**

13 **(2) Notwithstanding subsection (1) of this section, any elector may request that the**  
14 **county clerk provide the elector with a ballot that may be returned by mail if the elector:**

15 **(a) Is for any reason unable to vote in person on the date of the election; and**

16 **(b) Requests a ballot that may be returned by mail no later than 21 days before the date**  
17 **of the election.**

18 [(2)] (3) The Secretary of State shall adopt rules to:

19 (a) Provide for uniformity in the conduct of **in-person voting for** state elections [*by mail*]; and

20 (b) Govern the procedures for [*conducting elections by mail.*];

21 **(A) Electors to request a ballot that may be returned by mail under subsection (2) of this**  
22 **section, including a requirement that the request be submitted either in person or on the**  
23 **Internet;**

24 **(B) County clerks to provide ballots that may be returned by mail to a person who makes**  
25 **a request under subsection (2) of this section; and**

26 **(C) Ensuring that ballots that are returned by mail are transported, stored and tallied**  
27 **in a secure and accurate manner.**

28 **(4) This section does not apply to:**

**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) Military or overseas electors as defined in ORS 253.510; or

2 (b) Absent electors as defined in ORS 253.005.

3 **SECTION 2.** ORS 254.474 is amended to read:

4 254.474. (1)(a) The Secretary of State, in consultation with county clerks, shall establish  
5 by rule the minimum number of voting booths that must be maintained in each precinct and  
6 county for each election in order to ensure that all electors are provided with the opportu-  
7 nity to cast a ballot in person on the date of the election.

8 (b) Rules adopted under this subsection shall also specify the dates and times the voting  
9 booths must be open and the security requirements for the voting booths. At a minimum,  
10 the voting booths designated under this section shall be open on the date of the election for  
11 a period of eight or more hours, but must be open until at least 8 p.m. At each voting booth  
12 designated under this section, the county clerk shall prominently display a sign stating that  
13 the location is an official voting booth. *[At each primary election and general election, the county*  
14 *clerk shall maintain voting booths in the county as follows:]*

15 *[(a) In each county with 35,000 or more electors in the county, the county clerk shall maintain a*  
16 *number of voting booths equal to at least one voting booth for every 20,000 electors in the county;*  
17 *and]*

18 *[(b) In each county with fewer than 35,000 electors in the county, the county clerk shall maintain*  
19 *at least one voting booth.]*

20 (2) The county clerk may:

21 (a) At the county's expense, increase the number of voting booths operated during an  
22 election; and

23 (b) Determine the location of the voting booths required under this section.

24 (3) At 8 p.m. on election day, electors who are at the county clerk's office, a voting booth  
25 described under subsection (1) of this section or any location described in ORS 254.472 and  
26 who are in line waiting to vote or deposit a voted ballot shall be considered to have begun  
27 the act of voting.

28 **SECTION 3.** Section 4 of this 2023 Act is added to and made a part of ORS chapter 254.

29 **SECTION 4.** For an election held on the date of a primary election:

30 (1) The county clerk shall provide the official ballot of a major political party to each  
31 elector who is registered as being affiliated with the major political party as of the 21st day  
32 before the date of the election.

33 (2) The county clerk shall provide the official ballot of a major political party to an  
34 elector not affiliated with any political party if the elector has applied for the ballot as pro-  
35 vided in subsection (3) of this section and that party has provided under ORS 254.365 for a  
36 primary election that admits electors not affiliated with any political party.

37 (3) An elector not affiliated with any political party who wishes to vote in the primary  
38 election of a major political party shall apply to the county clerk in writing. The application  
39 must be completed, signed and submitted by the elector electronically, in person or by mail,  
40 in a manner determined by the Secretary of State by rule, and must indicate which major  
41 political party ballot the elector wishes to receive. Subject to ORS 247.203, the application  
42 must be received by the county clerk not later than 5 p.m. of the 21st day before the date  
43 of the election.

44 (4) If the primary election ballot includes city, county or nonpartisan offices or measures,  
45 the county clerk shall provide to each elector who is not eligible to vote for party candidates

1 **a ballot limited to those offices and measures for which the elector is eligible to vote.**

2 **SECTION 5.** ORS 254.470 is amended to read:

3 254.470. [(1) *The Secretary of State by rule shall establish requirements and criteria for the desig-*  
4 *nation of places of deposit for the ballots cast in an election. The rules shall also specify the dates and*  
5 *times the places of deposit must be open and the security requirements for the places of deposit. At a*  
6 *minimum, the places designated under this section shall be open on the date of the election for a period*  
7 *of eight or more hours, but must be open until at least 8 p.m. At each place of deposit designated under*  
8 *this section, the county clerk shall prominently display a sign stating that the location is an official*  
9 *ballot drop site.*]

10 [(2)(a) *Except as provided in paragraphs (b) to (d) of this subsection, the county clerk shall mail*  
11 *by nonforwardable mail an official ballot with a return identification envelope and a secrecy envelope*  
12 *not sooner than the 20th day before the date of an election and not later than the 14th day before the*  
13 *date of the election, to each active elector of the electoral district as of the 21st day before the date of*  
14 *the election.*]

15 [(b) *If the county clerk determines that an active elector of the electoral district as of the 21st day*  
16 *before the date of the election does not receive daily mail service from the United States Postal Service,*  
17 *the county clerk shall mail by nonforwardable mail an official ballot with a return identification en-*  
18 *velope and a secrecy envelope to the elector not sooner than the 20th day before the date of an election*  
19 *and not later than the 18th day before the date of the election.*]

20 [(c) *In the case of ballots to be mailed to addresses outside this state to electors who are not mili-*  
21 *tary or overseas electors, the county clerk may mail the ballots not sooner than the 29th day before the*  
22 *date of the election.*]

23 [(d) *The county clerk is not required to mail a secrecy envelope under this subsection if the Secre-*  
24 *tary of State has approved a different procedure under ORS 254.458 that provides substantially the*  
25 *same degree of secrecy.*]

26 [(3) *For an election held on the date of a primary election:*]

27 [(a) *The county clerk shall mail the official ballot of a major political party to each elector who is*  
28 *registered as being affiliated with the major political party as of the 21st day before the date of the*  
29 *election.*]

30 [(b) *The county clerk shall mail the official ballot of a major political party to an elector not af-*  
31 *iliated with any political party if the elector has applied for the ballot as provided in this subsection*  
32 *and that party has provided under ORS 254.365 for a primary election that admits electors not affil-*  
33 *iated with any political party.*]

34 [(c) *An elector not affiliated with any political party who wishes to vote in the primary election of*  
35 *a major political party shall apply to the county clerk in writing. The application must be completed,*  
36 *signed and submitted by the elector electronically, in person or by mail, in a manner determined by the*  
37 *secretary by rule and must indicate which major political party ballot the elector wishes to receive.*  
38 *Except for electors described in subsection (4) of this section, and subject to ORS 247.203, the applica-*  
39 *tion must be received by the county clerk not later than 5 p.m. of the 21st day before the date of the*  
40 *election.*]

41 [(d) *If the primary election ballot includes city, county or nonpartisan offices or measures, the*  
42 *county clerk shall mail to each elector who is not eligible to vote for party candidates a ballot limited*  
43 *to those offices and measures for which the elector is eligible to vote.*]

44 [(4)(a) *For each elector who updates a voter registration after the deadline in ORS 247.025, the*  
45 *county clerk shall make the official ballot, the return identification envelope and the secrecy envelope*

1 available either by mail or at the county clerk's office or at another place designated by the county  
 2 clerk. An elector to whom this subsection applies must request a ballot from the county clerk.]

3 [(b) The county clerk is not required to make available a secrecy envelope under this subsection if  
 4 the Secretary of State has approved a different procedure under ORS 254.458 that provides substan-  
 5 tially the same degree of secrecy.]

6 **[(5)] In addition to any rules adopted by the Secretary of State under ORS 254.465, for any  
 7 ballot that may be returned by mail:**

8 (1) The ballot shall contain the following warning:  
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10  
 11 Any person who, by use of force or other means, unduly influences an elector to vote in any  
 12 particular manner or to refrain from voting is subject to a fine.  
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14  
 15 [(6)(a)] **(2)(a)** Upon receipt of [any ballot described in this section] **the ballot**, the elector shall  
 16 mark the ballot, sign the return identification envelope supplied with the ballot and comply with the  
 17 instructions provided with the ballot.

18 (b) The elector may return the marked ballot to the county clerk by United States mail or by  
 19 depositing the ballot at the office of the county clerk[, at any place of deposit designated by the  
 20 county clerk or at any location described in ORS 254.472 or 254.474].

21 (c) The ballot must be returned in the return identification envelope.

22 (d) Subject to paragraph (e) of this subsection, if a person returns a ballot for an elector, the  
 23 person shall deposit the ballot in a manner described in paragraph (b) of this subsection not later  
 24 than two days after receiving the ballot.

25 (e) [If the elector deposits the ballot at the office of the county clerk, at any place of deposit des-  
 26 ignated by the county clerk or at any location described in ORS 254.472 or 254.474,] The ballot must  
 27 be received at the office of the county clerk[, at the designated place of deposit or at any location  
 28 described in ORS 254.472 or 254.474] not later than **8 p.m.** [the end of the period determined under  
 29 subsection (1) of this section] on the date of the election. [If the elector returns the ballot by mail:]

30 [(A) The ballot must be received at the office of the county clerk not later than the end of the period  
 31 determined under subsection (1) of this section on the date of the election; or]

32 [(B) The ballot must:]

33 [(i) Have a postal indicator showing that the ballot was mailed not later than the date of the  
 34 election; and]

35 [(ii) Be received at the office of the county clerk not later than seven calendar days after the date  
 36 of the election.]

37 [(f) If a county clerk receives a marked ballot for an elector who does not reside in the clerk's  
 38 county, the ballot shall be forwarded to the county clerk of the county in which the elector resides not  
 39 later than the eighth day after the election.]

40 [(7) The following shall appear on the return identification envelope:]

41 [(a) Space for the elector to sign the envelope.]

42 [(b) A notice designed by rule by the Secretary of State, in consultation with the county clerks,  
 43 explaining that by signing the ballot the elector is attesting under penalty of perjury that the ballot  
 44 was mailed no later than the date of the election.]

45 [(c) A summary of the applicable penalties for knowingly making a false statement, oath or affidavit

1 *under the election laws.]*

2 [(8) *If the elector returns the ballot by mail, and a postal indicator is not present or legible, the*  
 3 *ballot shall be considered to be mailed on the date of the election and may be counted if the ballot is*  
 4 *received no later than seven calendar days after the election.]*

5 [(9) (3) An elector may obtain a replacement ballot if the ballot is destroyed, spoiled, lost or  
 6 not received by the elector. Replacement ballots shall be issued and processed as described in this  
 7 section and ORS 254.480. The county clerk shall keep a record of each replacement ballot provided  
 8 under this subsection. *[Notwithstanding any deadline for mailing ballots in subsection (2) of this*  
 9 *section,]* A replacement ballot may be mailed, made available in the office of the county clerk or  
 10 made available at one central location in the electoral district in which the election is conducted.  
 11 The county clerk shall designate the central location. A replacement ballot need not be mailed after  
 12 the fifth day before the date of the election.

13 [(10) (4) [A] **The** ballot shall be counted only if:

14 (a) It is returned in the return identification envelope;

15 (b) The envelope is signed by the elector to whom the ballot is issued, unless a certified state-  
 16 ment is submitted under ORS 254.431; and

17 (c) The signature is verified as provided in subsection [(11) (5) of this section.

18 [(11) (5) The county clerk shall verify the signature of *[each] the* elector on the return iden-  
 19 tification envelope with the signature on the elector’s registration record, according to the proce-  
 20 dure provided by rules adopted by the Secretary of State. If the county clerk determines that an  
 21 elector to whom a replacement ballot has been issued has voted more than once, the county clerk  
 22 shall count only one ballot cast by that elector.

23 [(12) *At 8 p.m. on election day, electors who are at the county clerk’s office, a place of deposit*  
 24 *designated under subsection (1) of this section or any location described in ORS 254.472 or 254.474 and*  
 25 *who are in line waiting to vote or deposit a voted ballot shall be considered to have begun the act of*  
 26 *voting.]*

27 [(13)(a)(A) (6)(a)(A) Except as provided in subparagraph (B) of this paragraph, the name of the  
 28 Secretary of State may not appear in the secretary’s official capacity on the return identification  
 29 envelope or on any instructions or materials included with the ballot if the secretary is a candidate  
 30 in the election for which the ballot is printed.

31 (B) This paragraph does not prohibit the name of the Secretary of State from appearing in the  
 32 secretary’s official capacity in the voters’ pamphlet.

33 (b) The name of the county clerk or other filing officer may not appear in the official capacity  
 34 of the county clerk or filing officer on the return identification envelope or on any instructions or  
 35 materials included with the ballot if the county clerk or filing officer is a candidate in the election  
 36 for which the ballot is printed.

37 (c) As used in this subsection, “filing officer” has the meaning given that term in ORS 254.165.

38 [(14) *As used in this section, “postal indicator” means a postmark or other indicator on a mailed*  
 39 *ballot, identified by the Secretary of State by rule, that demonstrates the date or time at which a ballot*  
 40 *was mailed.]*

41  
 42 **BALLOTS MUST BE RECEIVED BY DATE OF ELECTION**

43  
 44 **SECTION 6.** ORS 253.065 is amended to read:

45 253.065. (1) For electors with mailing addresses outside this state, the county clerk shall deliver

1 a ballot:

2 (a) Not later than the 45th day before the election to each military or overseas elector; and

3 (b) Not sooner than the 29th day before the election to each absent elector [*with a mailing ad-*  
4 *dress outside this state who is not a military or overseas elector*].

5 (2) The clerk shall deliver with the ballot instructions for marking and returning the ballot, a  
6 return identification envelope and, if used, a secrecy envelope. [*Except as provided in subsection (3)*  
7 *of this section, the return identification envelope must contain:*] **The back of the envelope shall in-**  
8 **clude a statement to be signed by the absent elector, stating that the elector:**

9 **(a) Is qualified to vote;**

10 **(b) Unless prevented by physical disability, has personally marked the ballot; and**

11 **(c) Has not unnecessarily exhibited the marked ballot to any other person.**

12 [*(a) Space for the elector to sign the envelope.*]

13 [*(b) A notice designed by rule by the Secretary of State, in consultation with the county clerks,*  
14 *explaining that by signing the ballot the elector is attesting under penalty of perjury that the ballot*  
15 *was mailed no later than the date of the election.*]

16 [*(c) A summary of the applicable penalties for knowingly making a false statement, oath or affidavit*  
17 *under the election laws.*]

18 [(3) *For a military or overseas elector as defined in ORS 253.501, the return identification envelope*  
19 *provided under subsection (2) of this section must contain:*]

20 [*(a) Any information that a military or overseas elector is required to sign under the federal Help*  
21 *America Vote Act of 2002 (P.L. 107-252) or other federal law;*]

22 [*(b) Space for the elector to sign; and*]

23 [*(c) To the extent not required under paragraph (a) of this subsection, a notice designed by rule*  
24 *by the Secretary of State that ensures that any military or overseas elector who returns a ballot by*  
25 *mail makes a legally binding assertion that the ballot was mailed no later than the date of the*  
26 *election.*]

27 [(4)] (3) An absent elector may obtain a replacement ballot if the ballot delivered under this  
28 section is destroyed, spoiled, lost or not received by the elector. The county clerk shall keep a re-  
29 cord of each replacement ballot provided under this subsection.

30 [(5)] (4) A replacement ballot provided under subsection [(4)] (3) of this section may be mailed  
31 or shall be made available in the office of the county clerk.

32 [(6)] (5) If the county clerk determines that an absent elector to whom a replacement ballot has  
33 been issued at the request of the elector has voted more than once, the county clerk shall count only  
34 the first ballot received by the clerk and provide the elector's name to the Secretary of State for  
35 further review. If the county clerk is required to reissue ballots due to a change on the ballot for  
36 any reason, that ballot shall be counted in lieu of any previous ballot issued unless:

37 (a) Only the original ballot was voted and returned; or

38 (b) The county clerk issued a supplemental ballot that is not a complete replacement of the or-  
39 iginal ballot.

40 **SECTION 7.** ORS 253.070 is amended to read:

41 253.070. **A ballot from an absent elector must be received by a county clerk not later than**  
42 **8 p.m. of the date of the election.**

43 [(1) *Upon receipt of a ballot the absent elector shall mark it and comply with the instructions*  
44 *provided with the ballot. The absent elector may return the marked ballot to the office of the clerk, by*  
45 *any appropriate means.*]

1        [(2) *If the absent elector returns the marked ballot by any means other than by mail, the ballot*  
 2 *must be received by a county clerk not later than 8 p.m. of the day of the election.*]

3        [(3) *If the absent elector returns the marked ballot by mail:*]

4        [(a) *The ballot must be received by a county clerk not later than 8 p.m. on the day of the election;*  
 5 *or*]

6        [(b) *The ballot must:*]

7        [(A) *Have a postal indicator showing that the ballot was mailed not later than the date of the*  
 8 *election; and*]

9        [(B) *Be received at the office of the county clerk not later than seven calendar days after the date*  
 10 *of the election.*]

11       [(4) *If the elector returns the ballot by mail, and a postal indicator is not present or legible, the*  
 12 *ballot shall be considered to be mailed on the date of the election and may be counted if the ballot is*  
 13 *received no later than seven calendar days after the election.*]

14       [(5) *If a county clerk receives a marked ballot for an elector who does not reside in the clerk's*  
 15 *county, the ballot shall be forwarded to the county clerk of the county in which the elector resides not*  
 16 *later than the eighth day after the election.*]

17       [(6) *As used in this section, "postal indicator" has the meaning given that term in ORS 254.470.*]

18       **SECTION 8.** ORS 254.485 is amended to read:

19       254.485. (1) Ballots may be tallied by a vote tally system or by a counting board. A counting  
 20 board may tally ballots at the precinct or in the office of the county clerk. In any event, the ballots  
 21 shall be tallied and returned by precinct.

22       (2) If a vote tally system is used, the county clerk shall repeat the public certification test de-  
 23 scribed under ORS 254.235 (1). The test shall be conducted immediately prior to scanning any bal-  
 24 lots. The test may be observed by persons described in ORS 254.235 (2). The county clerk shall  
 25 certify the results of the test.

26       (3) If a counting board has been appointed, the tally of ballots may begin on the date of the  
 27 election.

28       (4)(a) If ballots are tallied by a counting board, after the tally has begun it shall continue until  
 29 completed. Except as provided in paragraph (b) of this subsection, a counting board shall tally  
 30 without adjournment and in the presence of the clerks and persons authorized to attend.

31       (b) A counting board may be relieved by another board if the tally is not completed after 12  
 32 hours.

33       (5) A counting board shall audibly announce the tally as it proceeds. The board shall use only  
 34 pen and ink to tally.

35       (6) For ballots cast using a voting machine, the county clerk shall:

36       (a) Enter the ballots cast using the machine into the vote tally system; and

37       (b) In the event of a recount, provide the paper record copy recorded by the machine to the  
 38 counting board.

39       (7) A person other than the county clerk, a member of a counting board or any other elections  
 40 official designated by the county clerk may not tally ballots under this chapter.

41       [(8) *The Secretary of State shall by rule establish a procedure for announcing the status of the tally*  
 42 *of the ballots received after the date of the election. Rules adopted under this subsection must:*]

43       [(a) *Consider the number of ballots being released in relation to the size of the district;*]

44       [(b) *Prioritize voter anonymity; and*]

45       [(c) *After prioritizing voter anonymity under paragraph (b) of this subsection, prioritize the im-*

1 *portance of timely reporting election results.]*

2 **SECTION 9.** ORS 253.690 is amended to read:

3 253.690. (1) A military or overseas elector described in ORS 253.510 may cast a ballot using a  
 4 facsimile machine or by electronic mail as provided in this section. Notwithstanding ORS 254.470  
 5 [(10)] (4), a ballot cast under this section shall be counted only if the ballot:

- 6 (a) Is received in the office of the county clerk not later than 8 p.m. on the day of the election;
- 7 (b) Is accompanied by a return identification envelope containing the signature of the elector  
 8 and a signed waiver described in subsection (2) of this section; and
- 9 (c) The signature is verified as provided in subsection (4) of this section.

10 (2) Each elector who casts a ballot under this section shall complete and submit a waiver de-  
 11 scribed in this subsection. The elector shall attest to the information supplied on the waiver by  
 12 signing the completed waiver. The Secretary of State by rule shall design the form of the waiver,  
 13 which shall include all of the following:

- 14 (a) Space for the elector to provide the elector’s full name, residence or mailing address, an  
 15 electronic mail address, phone or facsimile number where the elector may be contacted and any  
 16 other necessary information.
- 17 (b) A waiver in substantially the following form:

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18  
 19  
 20 I, \_\_\_\_\_, acknowledge that by casting my voted ballot using a facsimile machine or by  
 21 electronic mail I have waived my right to a secret ballot.

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22  
 23  
 24 (c) A statement to notify the elector that the elector’s ballot will not be counted unless the  
 25 elector has complied with the provisions of this section.

26 (d) Space for the elector to provide the elector’s signature to attest to the information supplied.

27 (3)(a) If a ballot is cast under this section using a facsimile machine, the return identification  
 28 envelope and waiver shall also be submitted using a facsimile machine.

29 (b) If a ballot is cast under this section by electronic mail, the return identification envelope  
 30 and waiver shall also be submitted by electronic mail.

31 (4) The county clerk shall verify the signature of each elector on the return identification en-  
 32 velope transmitted by facsimile machine or electronic mail under this section with the signature on  
 33 the elector’s registration record, according to the procedure provided by rules adopted by the Sec-  
 34 retary of State.

35 (5) The Secretary of State shall adopt rules to administer this section and to ensure the secrecy  
 36 of ballots cast using a facsimile machine or by electronic mail to the greatest extent possible.

37 **SECTION 10.** ORS 260.695 is amended to read:

38 260.695. (1)(a) If a person prints or circulates an imitation of the ballot or sample ballot:

39 (A) The imitation ballot or sample ballot and the back of any return envelope enclosed with the  
 40 ballot or sample ballot shall state the following: “THIS IS NOT A REAL BALLOT. DO NOT USE  
 41 TO VOTE.” The statement on the imitation ballot or sample ballot shall be in bold print that is at  
 42 least two times as large as the majority of the text on the ballot or sample ballot or 20-point type,  
 43 whichever is larger. The statement on the back of a return envelope shall be in bold print that is  
 44 at least 36-point type.

45 (B) The word “UNOFFICIAL” must be superimposed on the imitation ballot or sample ballot so

1 that the word extends diagonally across the ballot from one margin of the text to the other. The  
2 superimposed word may be printed in lighter ink than other text on the ballot or sample ballot.

3 (b) For purposes of this subsection, an imitation of the ballot or sample ballot includes an imi-  
4 tation of a portion of the ballot or sample ballot.

5 (2)(a) As used in this subsection, “imitation voters’ pamphlet” means a document that imitates  
6 the physical characteristics or appearance of a voters’ pamphlet or a portion of a voters’ pamphlet  
7 published by the Secretary of State or county clerk, as defined in ORS 251.005, under ORS chapter  
8 251 and likely misleads or confuses a reasonable person as to whether the document is an official  
9 voters’ pamphlet or a portion of an official voters’ pamphlet in the absence of the required state-  
10 ment.

11 (b) If a person prints or circulates an imitation voters’ pamphlet, including by electronic means:

12 (A)(i) The imitation voters’ pamphlet shall state the following: “THIS IS NOT THE OFFICIAL  
13 VOTERS’ PAMPHLET.” Except as provided in sub-subparagraph (ii) of this subparagraph, the  
14 statement on the imitation voters’ pamphlet shall be in bold print that is at least 36-point type.

15 (ii) For an imitation voters’ pamphlet that is circulated electronically, the statement described  
16 in sub-subparagraph (i) of this subparagraph shall be in bold print in a typeface of contrasting color  
17 and in a font size that is at least three times as large as the font size used for the majority of the  
18 text in the imitation voters’ pamphlet.

19 (B) The word “UNOFFICIAL” must be superimposed on each page of the imitation voters’  
20 pamphlet so that the word extends diagonally across the imitation voters’ pamphlet from one margin  
21 of text to the other. The superimposed word may be printed or displayed in lighter ink than other  
22 text on the imitation voters’ pamphlet.

23 (3) A person may not do any electioneering, including circulating any cards or handbills, or so-  
24 liciting of signatures to any petition, within any building in which any state or local government  
25 elections office [*designated*] **maintained as a voting booth under ORS 254.474** [*for the deposit of*  
26 *ballots under ORS 254.470*] is located, or within 100 feet measured radially from any entrance to the  
27 building. A person may not do any electioneering by public address system located more than 100  
28 feet from an entrance to the building if the person is capable of being understood within 100 feet  
29 of the building. The electioneering need not relate to the election being conducted. This subsection  
30 applies during the business hours of the building or, if the building is a county elections office,  
31 during the hours the office is open to the public, **on election day until** [*during the period beginning*  
32 *on the date that ballots are mailed to electors as provided in ORS 254.470 and ending on election day*  
33 *at*] 8 p.m. or when all persons waiting in line at the building who began the act of voting as de-  
34 scribed in ORS [254.470 (12)] **254.474 (3)** by 8 p.m. have finished voting.

35 (4) A person may not obstruct an entrance of a building in which ballots are issued [*or a place*  
36 *designated for the deposit of ballots under ORS 254.470*] or any voting booth maintained under ORS  
37 254.474 is located. This subsection applies [*during the period beginning on the date that ballots are*  
38 *mailed to electors as provided in ORS 254.470 and ending*] on election day **until** [*at*] 8 p.m. or when  
39 all persons waiting in line at the building or location who began the act of voting as described in  
40 ORS [254.470 (12)] **254.474 (3)** by 8 p.m. have finished voting.

41 (5) A person may not vote or offer to vote in any election knowing the person is not entitled  
42 to vote.

43 (6) A person may not make a false statement about the person’s inability to mark a ballot.

44 (7) A person, except an elections official in performance of duties or another person providing  
45 assistance to an elector as described in ORS 254.445, may not ask a person [*at any place designated*

1 *for the deposit of ballots under ORS 254.470 or]* at any location described in ORS 254.472 or 254.474  
 2 for whom that person intends to vote, or examine or attempt to examine the person's ballot.

3 (8) An elections official, other than in the performance of duties, may not disclose to any person  
 4 any information by which it can be ascertained for whom any elector has voted.

5 (9) A person, except an elections official in performance of duties, may not do anything to a  
 6 ballot to permit identification of the person who voted.

7 (10) An elector may not willfully leave [*at any place designated for the deposit of ballots under*  
 8 *ORS 254.470 or]* at any location described in ORS 254.472 or 254.474 anything that will show how  
 9 the elector's ballot was marked.

10 (11) A person, except an elections official in performance of duties, may not remove a ballot  
 11 from [*any place designated for the deposit of ballots under ORS 254.470 or]* any location described in  
 12 ORS 254.472 or 254.474.

13 (12) A person, except an elections official in performance of duties or a person authorized by  
 14 that official, may not willfully deface, remove, alter or destroy a posted election notice.

15 (13) A person, except an elections official in performance of duties, may not willfully remove,  
 16 alter or destroy election equipment or supplies, or break the seal or open any sealed package con-  
 17 taining election supplies.

18 (14) A person, except an elections official in performance of duties, may not provide elections  
 19 advice or attempt to collect voted ballots within any building in which [*any state or local government*  
 20 *elections office designated for the deposit of ballots under ORS 254.470]* **a voting booth maintained**  
 21 **under ORS 254.474** is located, or within 100 feet measured radially from any entrance to the  
 22 building.

23 (15) A person, except an elections official in performance of duties, may not establish a location  
 24 to collect ballots voted by electors unless:

25 (a) The person prominently displays at the location a sign stating: "NOT AN OFFICIAL BAL-  
 26 LOT DROP SITE"; and

27 (b) The sign is printed in all capital letters in bold 50-point type.

28 **SECTION 11.** ORS 254.408 is amended to read:

29 254.408. (1) A person offering to vote and who claims to be an elector, but for whom no evidence  
 30 of active or inactive registration can be found, shall be granted the right to vote in the manner  
 31 provided in this section.

32 (2) Whenever an elector updates a registration at a county clerk's office after the **registration**  
 33 **deadline set forth in ORS 247.025** [*ballots have been mailed under ORS 254.470*], the elector shall  
 34 vote in that election in the manner provided in this section.

35 (3) An elector voting under this section shall complete and sign a registration card.

36 (4)(a)[*(A) Except as provided in subparagraph (B) of this paragraph,*] The elector shall insert the  
 37 ballot into a small envelope provided by the county clerk and then insert the small envelope into  
 38 a larger envelope. The larger envelope shall be delivered to the county clerk and shall be segregated  
 39 and not counted until the registration of the elector is verified under this section.

40 [*(B) The county clerk shall inform the elector of any alterations to the process described in sub-*  
 41 *paragraph (A) of this paragraph that are necessary if the Secretary of State has approved a procedure*  
 42 *under ORS 254.458 to be used in lieu of the envelope procedures.*]

43 (b) An envelope provided under this subsection must comply with the prohibitions set forth in  
 44 ORS 254.470 [(13)] **(6)**.

45 (5) The county clerk shall determine if the elector is validly registered to vote and if the vote

1 was properly cast. The ballot shall be counted only if the county clerk determines the registration  
 2 of the elector is considered active or inactive.

3 (6) A vote shall be counted only if the elector is qualified to vote for the particular office or  
 4 on the measure.

5 **SECTION 12.** ORS 253.585 is amended to read:

6 253.585. (1) The Secretary of State may receive ballots from military or overseas electors.

7 (2) If the Secretary of State receives a ballot cast by a military or overseas elector, the Secre-  
 8 tary of State shall deliver the ballot to the county clerk or elections officer of the county in which  
 9 the elector who cast the ballot is registered.

10 (3) A ballot received by the Secretary of State under this section **not later than 8 p.m. of the**  
 11 **day of the election** shall be considered to have been received by the county clerk as described in  
 12 ORS 253.070. [*if:*]

13 [*(a) The Secretary of State receives the ballot not later than 8 p.m. on the day of the election; or]*

14 [*(b) The ballot:*]

15 [*(A) Has a postal indicator showing that the ballot was mailed not later than the date of the*  
 16 *election; and]*

17 [*(B) Is received by the Secretary of State not later than seven calendar days after the date of the*  
 18 *election.]*

19 [*(4) If a military or overseas elector returns the ballot by mail, and a postal indicator is not present*  
 20 *or legible, the ballot shall be considered to be mailed on the date of the election and may be counted*  
 21 *if the ballot is received no later than seven calendar days after the election.]*

22 [*(5) As used in this section “postal indicator” has the meaning given that term in ORS 254.470.]*

23  
 24 **CONFORMING AMENDMENTS**

25  
 26 **SECTION 13.** ORS 247.307 is amended to read:

27 247.307. [*(1) Except as provided in subsection (2) of this section,*] If the county clerk receives in-  
 28 formation updating the registration of an elector after the deadline in ORS 247.025[.],

29 [*(a)*] the county clerk shall **allow the elector to cast an in-person ballot on the date of the**  
 30 **election** [*issue a ballot to the elector*] if the elector’s registration was inactive prior to updating[.];  
 31 *or*]

32 [*(b) The county clerk shall issue a replacement ballot upon request from the elector if the elector’s*  
 33 *registration was active prior to updating.]*

34 [(2) *If the county clerk receives a registration card updating an elector’s residence or mailing ad-*  
 35 *dress after the deadline in ORS 247.025, the county clerk shall reissue a ballot to the elector if the*  
 36 *elector’s registration was active prior to updating.]*

37 [(3)(a) *If the county clerk is required to reissue a ballot under subsection (2) of this section, the*  
 38 *county clerk shall:]*

39 [(A) *Verify the registration of the elector and ensure that another ballot has not been returned by*  
 40 *the elector;]*

41 [(B) *Mark the return identification envelope clearly so that it may be readily identified as a reis-*  
 42 *sued ballot; and]*

43 [(C) *Reissue the ballot by mail or other means.]*

44 [(b) *A ballot reissued under this section must be received at the office of the county clerk, a place*  
 45 *of deposit designated by the county clerk or any location described in ORS 254.472 or 254.474 not later*

1 *than the end of the period determined under ORS 254.470 (1) on the date of the election. Upon receiving*  
 2 *a voted ballot reissued under this section, the county clerk shall process the ballot.]*

3 *[(4) Ballots issued under this section need not be mailed to electors after the fifth day before the*  
 4 *date of the election and may be obtained by the elector in person from the county clerk up until and*  
 5 *including the date of the election.]*

6 **SECTION 14.** ORS 254.480 is amended to read:

7 254.480. (1) An elector **who has requested a ballot that may be returned by mail under ORS**  
 8 **254.465** may obtain a replacement ballot **that may be returned by mail** [*described in ORS*  
 9 *254.470*]. To vote a replacement ballot, the elector must complete and sign a replacement ballot re-  
 10 quest form. The request for a replacement ballot may be made electronically, by telephone, in writ-  
 11 ing, in person or by other means designated by the Secretary of State by rule.

12 (2) The replacement ballot request form shall be mailed or made available to the elector along  
 13 with the replacement ballot.

14 (3) Upon receiving a request for a replacement ballot, the county clerk shall:

15 (a) Verify the registration of the elector and ensure that another ballot has not been returned  
 16 by the elector;

17 (b) Note in the list of electors that the elector has requested a replacement ballot;

18 (c) Mark the return identification envelope clearly so that it may be readily identified as a re-  
 19 placement ballot; and

20 (d) Issue the replacement ballot by mail or other means.

21 (4) The completed and signed replacement ballot request form and the voted replacement ballot  
 22 must be received at the office of the county clerk[, *a place of deposit designated by the county clerk*  
 23 *or any location described in ORS 254.472 or 254.474*] not later than **8 p.m.** [*the end of the period de-*  
 24 *termined under ORS 254.470 (1)*] on the date of the election.

25 (5) Upon receiving a voted replacement ballot, the county clerk shall verify that a completed  
 26 and signed replacement ballot request form has been received by the county clerk or is included  
 27 with the voted replacement ballot. If a request form has been completed and signed by the elector  
 28 and received by the county clerk, the county clerk shall process the ballot. If the request form is  
 29 not completed or signed by the elector or received by the county clerk, the county clerk may not  
 30 process the ballot.

31 **SECTION 15.** ORS 260.665 is amended to read:

32 260.665. (1) As used in this section, “undue influence” means force, violence, restraint or the  
 33 threat of it, inflicting injury, damage, harm, loss of employment or other loss or the threat of it, or  
 34 giving or promising to give money, employment or other thing of value.

35 (2) A person, acting either alone or with or through any other person, may not directly or in-  
 36 directly subject any person to undue influence with the intent to induce any person to:

37 (a) Register or vote;

38 (b) Refrain from registering or voting;

39 (c) Register or vote in any particular manner;

40 (d) Be or refrain from or cease being a candidate;

41 (e) Contribute or refrain from contributing to any candidate, political party or political com-  
 42 mittee;

43 (f) Render or refrain from rendering services to any candidate, political party or political com-  
 44 mittee;

45 (g) Challenge or refrain from challenging a person offering to vote;

1 (h) Apply or refrain from applying for a ballot as an absent elector; or

2 (i) Sign or refrain from signing a prospective petition or an initiative, referendum, recall or  
3 candidate nominating petition.

4 (3) A person may not solicit or accept money or other thing of value as an inducement to act  
5 as prohibited by subsection (2) of this section.

6 (4) This section does not prohibit:

7 (a) The employment of persons to render services to candidates, political parties or political  
8 committees;

9 (b) The public distribution by candidates, political parties or political committees of sample  
10 ballots or other items readily available to the public without charge, even though the distributor  
11 incurs costs in the distribution;

12 (c) Public or nonpromissory statements by or on behalf of a candidate of the candidate's in-  
13 tentions or purposes if elected;

14 (d) A promise by a candidate to employ any person as administrative assistant, secretary or  
15 other direct personal aide;

16 (e) Free custody and care of minor children of persons during the time those persons are absent  
17 from those children for voting purposes;

18 (f) For persons voting, free transportation to and from [*places designated for the deposit of ballots*  
19 *under ORS 254.470 or to and from*] locations described in ORS 254.472 or 254.474; but no means of  
20 advertising, solicitation or inducement to influence the vote of persons transported may be used with  
21 that transportation;

22 (g) Individuals or political committees from providing refreshments incidental to a gathering in  
23 support of or in opposition to a candidate, political committee or measure; **or**

24 (h) The public distribution of registration cards by a person approved by the Secretary of State  
25 under ORS 247.171 to print, copy or otherwise prepare and distribute registration cards, even though  
26 the distributor incurs costs in the distribution.[: or]

27 [*i) An elections official from providing return identification envelopes for ballots that may be re-*  
28 *turned by mail at no cost to the elector under ORS 254.473.*]

29 **SECTION 16.** ORS 192.842 is amended to read:

30 192.842. (1) A county clerk or other elections official shall use the actual address of a program  
31 participant for voter registration purposes. Except as provided in ORS 192.820 to 192.868, a county  
32 clerk or other elections official may not disclose the actual address.

33 (2) A county clerk or other elections official shall use the substitute address of the program  
34 participant for purposes of mailing a ballot to an elector **who requests a ballot that can be re-**  
35 **turned by mail** under ORS [254.470] **254.465.**

36 (3) A school district shall use the actual address of a program participant for any purpose re-  
37 lated to admission or assignment. The school district shall take such measures as necessary to pro-  
38 tect the confidentiality of the actual address of the program participant. Student records created  
39 under ORS 326.565 and 326.580 shall use the substitute address of the program participant.

40 (4) A county clerk shall accept the substitute address of the program participant as the address  
41 of the applicant for the purpose of issuing a marriage license under ORS 106.041 or registering a  
42 Declaration of Domestic Partnership under ORS 106.325.

43 **SECTION 17.** ORS 251.175 is amended to read:

44 251.175. (1) Except as provided in subsection (2) of this section, not later than the 20th day be-  
45 fore a primary election, general election or special election for which a voters' pamphlet has been

1 prepared, the Secretary of State shall cause the voters' pamphlet to be mailed to each post-office  
 2 mailing address in Oregon, and shall use any additional means of distribution necessary to make the  
 3 pamphlet available to electors.

4 (2) For any special election described in ORS 251.022 that is not held statewide, or for any other  
 5 state special election that is not held statewide, the Secretary of State by rule may prescribe  
 6 methods for distributing the voters' pamphlet prepared for the election. The rule shall require the  
 7 secretary to mail the pamphlet to at least each elector whose registration is determined to be active  
 8 on the 21st day before the date of the election and who is eligible to vote in the election. The rule  
 9 may specify other methods of distribution. [*Voters' pamphlets prepared for the election shall be mailed*  
 10 *not later than the date ballots are mailed to electors as provided in ORS 254.470.*]

11 **SECTION 18.** ORS 251.315 is amended to read:

12 251.315. (1) If a county produces a county voters' pamphlet, the county voters' pamphlet shall  
 13 include, when applicable, at least the following information:

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

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

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 (d) The hours and locations of [*places designated under ORS 254.470 for deposit of official*  
 19 *ballots*] **voting booths maintained under ORS 254.474.**

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

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

24 (g)(A) Statements in the information section of the voters' pamphlet on the pages immediately  
 25 following the page containing the Secretary of State letter, to the extent reasonably practicable,  
 26 that:

27 (i) Are written in English and the five additional common languages for the county listed by the  
 28 Secretary of State under ORS 251.167;

29 (ii) Explain that an electronic copy of portions of the voters' pamphlet is publicly available in  
 30 that language; and

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

32 (B) The statements required under subparagraph (A) of this paragraph must be written so as to  
 33 be clearly readable.

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

35 (h) Such other information as the county clerk considers to be appropriate or necessary to in-  
 36 form the voters.

37 (2) The county clerk shall mail or otherwise distribute the county voters' pamphlet not later  
 38 than **14 days before the date of the election** [*the last day for mailing ballots to electors as provided*  
 39 *in ORS 254.470*].

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

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

44 **SECTION 19.** ORS 253.005 is amended to read:

45 253.005. As used in this chapter:

1 (1) “Clerk” means the county clerk.

2 (2) “County clerk” means the county clerk or the county official in charge of elections.

3 (3) “Elector” means an individual qualified to vote under section 2, Article II, Oregon Consti-  
4 tution.

5 (4) “Absent elector” means a person:

6 (a) To whom the county clerk has issued a ballot prior to [*the date that ballots are mailed to*  
7 *electors as provided in ORS 254.470 (2)(a) or (b).*] **20 days before the date of the election;**

8 **(b) Who has a mailing address outside this state; and**

9 **(c) Who is not a military or overseas elector.**

10 **SECTION 20.** ORS 254.365 is amended to read:

11 254.365. (1) An elector is not qualified or permitted to vote at any primary election for any  
12 candidate of a major political party, and it is unlawful for the elector to offer to do so, unless:

13 (a) The elector is registered as being affiliated with one of the major political parties nominating  
14 or electing its candidates for public office at the primary election; or

15 (b) The elector is registered as not being affiliated with any political party and wishes to vote  
16 in the primary election of a major political party that has provided under subsection (3) of this  
17 section for a primary election that admits electors not affiliated with any political party.

18 (2) Except as provided in [*ORS 254.470 (3)*] **section 4 of this 2023 Act**, any elector offering to  
19 vote at the primary election shall be given a ballot of the major political party with which the  
20 elector is registered as being affiliated. The elector may not be given a ballot of any other political  
21 party at that primary election. An elector not affiliated with any political party and offering to vote  
22 at the primary election shall be given the ballot of the major political party in whose primary  
23 election the elector wishes to vote if that party has provided under subsection (3) of this section for  
24 a primary election that admits electors not affiliated with any political party. An elector not affil-  
25 iated with any political party who is given a ballot of the major political party associates with the  
26 party for the purpose of voting in that primary election.

27 (3)(a) Not later than the 90th day before the date of the primary election, a major political party  
28 may file with the Secretary of State a certified copy of the current party rule allowing an elector  
29 not affiliated with any political party to vote in the party’s primary election. The party may not  
30 repeal the rule as filed during the 90 days before the primary election. The rule shall continue to  
31 be effective after the date of the primary election until the party gives written notice to the Secre-  
32 tary of State that the rule has been repealed. Except as provided in paragraph (b) of this subsection,  
33 a party rule under this subsection may limit the candidates for whom an elector who is not affiliated  
34 with any political party may vote.

35 (b) The party rule shall allow any elector who is permitted to vote for the most numerous  
36 branch of the Legislative Assembly also to vote in federal legislative elections, consistent with sec-  
37 tion 2, Article I, and the Seventeenth Amendment to the United States Constitution.

38 (4) If the primary election ballot includes city, county or nonpartisan offices or measures, and  
39 it is given to an elector who is not eligible to vote for party candidates, the ballot shall be marked  
40 “non-affiliated.”

41 **SECTION 21.** ORS 254.482 is amended to read:

42 254.482. [*After the date that ballots are mailed as provided in ORS 254.470*] **Beginning 14 days**  
43 **before the date of an election**, the county clerk, if requested, shall permit authorized persons to  
44 be at the office of the county clerk to watch the receiving and counting of votes. The authorization  
45 shall be in writing, shall be signed by an officer or its county affiliate of a political party, a candi-

1 date or the county clerk and shall be filed with the county clerk. The county clerk shall permit only  
 2 so many persons as watchers under this section as will not interfere with an orderly procedure at  
 3 the office of the county clerk.

4 **SECTION 22.** ORS 350.245 is amended to read:

5 350.245. (1) As used in this section, "school of higher education" means:

6 (a) A public university listed in ORS 352.002.

7 (b) A community college, as defined in ORS 341.005.

8 (2)(a) The Secretary of State shall ensure that within four miles of the main campus of each  
 9 school of higher education there is at least one location [*designated as an official ballot drop site*  
 10 *under ORS 254.470*] **maintained as a voting booth under ORS 254.474.**

11 (b) The requirement set forth in paragraph (a) of this subsection applies only to elections held  
 12 within the electoral district in which the main campus of a school of higher education is located.

13 (3) Each school of higher education shall:

14 (a) Display a direct link to the Secretary of State's online voter registration tool on the school's  
 15 Internet website or on any appropriate student-focused digital communication network managed by  
 16 the school.

17 (b) Upon the request of the school's official student government or its equivalent, give the stu-  
 18 dent government or its equivalent an opportunity to provide nonpartisan voter registration services:

19 (A) As part of student orientation programs held by the school's administration;

20 (B) As part of campus welcome events that occur before classes begin each academic term; and

21 (C) As part of residence life program activities.

22 (c) Upon the request of the school's official student government or its equivalent, provide the  
 23 student government or its equivalent with an official class schedule and a list of professional contact  
 24 information for school faculty, which may be used for the purpose of seeking faculty approval for  
 25 the student government or its equivalent to provide nonpartisan voter registration classroom pres-  
 26 entations.

27 (d) Provide individual students and student groups the opportunity to provide nonpartisan voter  
 28 registration services throughout the academic term in any nonreserved public space on the school's  
 29 property, provided that the nonpartisan voter registration services conform to the rules of conduct  
 30 and rules for reserving space at the school. This paragraph applies only to students enrolled at the  
 31 school and does not alter in any way the rights of a person who is not enrolled as a student at the  
 32 school.

33 (e) If the school owns and operates any student housing, at least three months prior to each  
 34 primary or general election:

35 (A) Obtain from the local county elections office what address information students living in  
 36 on-campus housing must provide in order to receive election ballots in the event a student chooses  
 37 to vote using the student's campus address; and

38 (B) Make the information obtained under subparagraph (A) of this paragraph available to the  
 39 school's official student government or its equivalent.

40 **SECTION 23.** ORS 247.948 is amended to read:

41 247.948. (1)(a) Except as set forth in ORS 247.965 or 247.967, or as otherwise prohibited by law,  
 42 the following information about an elector contained within an elector's registration file is subject  
 43 to inspection as a public record under ORS 192.311 to 192.478 and shall be included in lists delivered  
 44 under ORS 247.940 and 247.945:

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

- 1 (B) The residence address of an elector;
- 2 (C) The address where an elector receives a ballot;
- 3 (D) The year in which an elector was born;
- 4 (E) The name or number of the precinct in which the elector resides;
- 5 (F) The precinct split of an elector;
- 6 (G) The administrative number for an elector that is used by the Secretary of State to determine  
7 which elections an elector may vote in;
- 8 (H) The telephone number of an elector;
- 9 (I) Whether or not an elector voted in previous elections; and
- 10 (J) During an election period, the ballot status of an elector. In order to comply with this sub-  
11 paragraph, during the election period, the secretary shall maintain a list of the ballot status of  
12 electors. The secretary shall update the list, and make available an updated version of the list, on  
13 each business day of the election period.
- 14 (b) As used in this subsection:
- 15 (A) "Ballot status" means whether or not an elector has cast a ballot in the election;
- 16 (B) "Election period" means the period of time beginning **21 days before the date of the**  
17 **election** [*on the date that ballots for an election are first mailed to electors*] and ending on the date  
18 of the election; and
- 19 (C) "Precinct split" means the enhanced precinct name or number used to determine the specific  
20 ballot configuration that will be received by an elector who resides in a precinct that:
- 21 (i) Has more than one election district subdivision; and
- 22 (ii) Requires more than one ballot configuration for electors in the precinct.
- 23 (2) Except as set forth in ORS 247.973 or as otherwise required by law, the following information  
24 about an elector contained within an elector's registration file is not subject to inspection as a  
25 public record under ORS 192.311 to 192.478 and may not be disclosed by the Secretary of State or  
26 a county clerk:
- 27 (a) The birth month of an elector;
- 28 (b) The day of the month on which an elector was born;
- 29 (c) The Social Security number of an elector;
- 30 (d) The driver license number of an elector; and
- 31 (e) The signature of an elector.
- 32 (3) Nothing in this section is intended to limit or restrict the disclosure of information that is  
33 otherwise subject to inspection as a public record under ORS 192.311 to 192.478.
- 34 **SECTION 24.** ORS 247.965, as amended by section 1, chapter 114, Oregon Laws 2022, is  
35 amended to read:
- 36 247.965. (1) Any elector may request the county clerk to keep the residence address of the  
37 elector exempt from disclosure as a public record under ORS 192.311 to 192.478.
- 38 (2) The county clerk shall keep the residence address of an elector exempt from disclosure as  
39 a public record under ORS 192.311 to 192.478 if:
- 40 (a) The elector making the request demonstrates to the satisfaction of the county clerk that the  
41 elector's personal safety or the safety of any family member residing with the elector is in danger  
42 if the elector's address remains available for public inspection; or
- 43 (b) The elector has been identified as an election worker by the Secretary of State, county clerk  
44 or other public body as defined in ORS 174.109 in a manner prescribed by the secretary by rule.
- 45 [(3) *The county clerk shall automatically mail a ballot to an elector whose residence address is*

1 *exempt from disclosure under this section.]*

2 [(4)] (3) An exemption from disclosure granted under this section shall remain in effect until the  
 3 elector requests termination of the exemption or the elector is required to update the elector's  
 4 registration. If the elector is required to update the elector's registration, the elector may apply for  
 5 another exemption from disclosure.

6 [(5)] (4) An exemption from disclosure granted under this section includes an exemption from  
 7 disclosure of the residence address of an elector under ORS 247.940 or 247.945.

8 [(6)] (5) A county clerk or the Secretary of State shall not be held liable for:

9 (a) Granting or denying an exemption from disclosure under this section; or

10 (b) Any unauthorized release of a residence address granted an exemption from disclosure under  
 11 this section.

12 [(7)] (6) As used in this section, "election worker" means an individual employed full-time,  
 13 part-time or as a volunteer:

14 (a) Who is serving the State of Oregon or any other public body, as defined in ORS 174.109, as  
 15 an elected official, appointed official, employee or agent; and

16 (b) Whose official duties include carrying out any duty, function or power set forth in ORS  
 17 chapters 246 to 260.

18 **SECTION 25.** ORS 254.321 is amended to read:

19 254.321. At any election in which the question of establishing or changing the exterior bounda-  
 20 ries of a county or city is submitted to a vote, the county clerk shall[:]

21 [(1) *Include with every mailed ballot a map indicating the proposed boundaries; or]*

22 [(2)] print in a voters' pamphlet prepared for the election a map indicating the proposed bound-  
 23 aries.

24 **SECTION 26.** ORS 254.458 and 254.473 are repealed.

25  
 26 **UNIT CAPTIONS AND OPERATIVE DATE**

27  
 28 **SECTION 27.** The unit captions used in this 2023 Act are provided only for the conven-  
 29 ience of the reader and do not become part of the statutory law of this state or express any  
 30 legislative intent in the enactment of this 2023 Act.

31 **SECTION 28.** (1) Section 4 of this 2023 Act, the amendments to ORS 192.842, 247.307,  
 32 247.948, 247.965, 251.175, 251.315, 253.005, 253.065, 253.070, 253.585, 253.690, 254.321, 254.365,  
 33 254.408, 254.465, 254.470, 254.474, 254.480, 254.482, 254.485, 260.665, 260.695 and 350.245 by  
 34 sections 1, 2 and 5 to 25 of this 2023 Act and the repeal of ORS 254.458 and 254.473 by section  
 35 26 of this 2023 Act become operative and first apply to elections held on or after January 1,  
 36 2025.

37 (2) The Secretary of State and county clerks may take any action before the operative  
 38 date specified in subsection (1) of this section that is necessary to enable the Secretary of  
 39 State and county clerks to exercise, on and after the operative date specified in subsection  
 40 (1) of this section, all the duties, functions and powers conferred on the Secretary of State  
 41 and county clerks by section 4 of this 2023 Act and the amendments to ORS 192.842, 247.307,  
 42 247.948, 247.965, 251.175, 251.315, 253.005, 253.065, 253.070, 253.585, 253.690, 254.321, 254.365,  
 43 254.408, 254.465, 254.470, 254.474, 254.480, 254.482, 254.485, 260.665, 260.695 and 350.245 by  
 44 sections 1, 2 and 5 to 25 of this 2023 Act.