Senate Bill 167

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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.

Alters dates by which special district recall petitions must be filed and verified.
Reduces number of registration cards that may be requested to 500 per individual or entity.
Moves ORS 247.007 from ORS chapter 247 to ORS chapter 254.
Expands languages that online voters’ pamphlet can be translated into.
Explicitly prohibits confidential election records and information included in Address Confidentiality Program from being released as public record or as part of lists of electors.
Limits time period when political parties can request list of electors.
Extends time period chief petitioners have to circulate recall petition.
Requires Secretary of State to establish electronic filing system for nominating petitions and declarations of candidacy. Requires use of electronic system.
Adds family members living with election workers to address disclosure exemptions.
Exempts individual’s signatures on signature sheets from public disclosure.
Removes requirement that individuals who sign electronic signature sheets must do so in two places.
Authorizes Secretary of State to alter specified language required to be placed on election documents, provided that alteration in language does not materially change meaning.
Exempts certain costs from calculations on whether candidate is required to file statement of organization, establish campaign account or file required campaign finance statements.
Excludes candidate debate or forum for state office from being considered candidate contribution if host uses neutral criteria, set in advance, when determining who to invite.
Requires Secretary of State or Attorney General to notify subject of complaint that complaint has been filed only if secretary or Attorney General opens investigation.
Declares emergency, effective on passage.

A BILL FOR AN ACT


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

SECTION 1. ORS 198.430 is amended to read:

198.430. (1) Before circulating a petition for recall of a district officer of a district other than a district defined in ORS 255.012, the petitioner shall file the petition with the officer with whom a petition for nomination to such office should be filed. Except as provided in this subsection, if there is no such officer or if the officer is the district officer against whom the petition is being filed, the petition shall be filed with the county clerk of the county in which the administrative office of the district is located. In the case of an irrigation district organized under ORS chapter 545, if there is no such officer or if the officer is the district officer against whom the petition is being filed, the petition shall be filed with the members of the board of directors of the irrigation district who are not subject to the recall petition.

(2) The petition shall be signed by a number of persons who are qualified to vote in the district, that is equal to but not less than the lesser of:

(a) Fifteen percent of the persons who are qualified to vote in the district, or subdivision of the

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.

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district from which the district officer was elected; or

(b) Fifteen percent of the total votes cast in the electoral district for all candidates for Governor at the most recent election at which a candidate for Governor was elected to a full term.

(3) The circulator of the signature sheet shall certify on each sheet that the circulator:

(a) Witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet; and

(b) Believes each individual stated the correct residence address of the individual and is an individual qualified to vote in the district.

(4) In those districts where a person qualified to vote must be an elector, the petition, before filing, shall be submitted to the county clerk who shall compare the signatures of the persons signing the petition with the signatures of electors on the register of electors and, on the face of each signature sheet, shall make a certificate of the number of signatures the county clerk believes to be genuine. In other districts, the officer who receives the petition for filing, before filing the petition, shall verify the signatures and make a certificate of the number of signatures the officer believes to be genuine.

(5) The district shall pay the expense of verifying the signatures and of calling and conducting the election. The election shall be conducted in the district, or in the subdivision of the district from which the district officer was elected, in accordance with the law governing election of district officers.

(6) A person who is qualified to vote in a district under this section is a person who is qualified, under the law applicable to the district, to vote in an election at which members of the governing body of the district are elected.

(7) A recall petition is void unless the petition is filed not later than the 100th day after the date of the first signature on the petition. Not later than the 90th day after the date of the first signature, the petition shall be submitted for signature verification to the county clerk or other officer described in subsection (4) of this section who shall make the certificate of the number of genuine signatures not later than the 30th day after the date of submission. The petition must contain only original signatures. A recall petition shall not be accepted for signature verification if the petition contains less than 100 percent of the required number of signatures. A recall petition shall not be accepted for filing until 100 percent of the required number of signatures have been verified.

SECTION 2. ORS 247.176 is amended to read:

247.176. (1) During the period extending from the 250th day before the primary election to the date of the primary election and the period extending from the day after the primary election to the 250th day before the next primary election:

(a) Any person individual or entity may request delivery from the Secretary of State of not more than an aggregate total of 5,000 registration cards prepared under ORS 247.171; and

(b) Upon receiving a request under this subsection, the Secretary of State shall deliver to the [person] individual or entity the number of registration cards requested that does not exceed an aggregate total of 5,000.

(2) An entity may not have more than one individual request registration cards on the entity's behalf under this section [The Secretary of State shall adopt rules describing when the Secretary of State will honor requests for delivery of more than 5,000 registration cards prepared under ORS 247.171].

(3) As used in this section, “entity” means a person other than an individual.
SECTION 3. ORS 247.007 is added to and made a part of ORS chapter 254.

SECTION 4. ORS 251.315 is amended to read:

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

(a) Requirements for a citizen to qualify as an elector.
(b) Requirements for registration and updates of registration.
(c) Elector instructions, including the right of an elector to request a second ballot if the first ballot is spoiled and the right of an elector to seek assistance in marking the ballot.
(d) The hours and locations of places designated under ORS 254.470 for deposit of official ballots.
(e) Any portraits and statements relating to candidates submitted in accordance with the provisions of ORS 251.305 to 251.435.
(f) Any ballot titles, explanatory statements and arguments submitted in accordance with the provisions of ORS 251.305 to 251.435.
(g)(A) Statements in the information section of the voters' pamphlet on the pages immediately following the page containing the [Secretary of State] county clerk letter, to the extent reasonably practicable, that:
(i) Are written in English and the five additional common languages for the county listed by the Secretary of State under ORS 251.167;
(ii) Explain that an electronic copy of portions of the voters' pamphlet is publicly available in that language; and
(iii) Provide the website address to the translated voters' pamphlet.
(B) The statements required under subparagraph (A) of this paragraph must be written so as to be clearly readable.
(C) The Secretary of State may adopt rules necessary to implement this paragraph.
(h) Such other information as the county clerk considers to be appropriate or necessary to inform the voters.

(2) The county clerk shall mail or otherwise distribute the county voters' pamphlet not later than the last day for mailing ballots to electors as provided in ORS 254.470.

(3)(a) The name of the county clerk or other filing officer may not appear in the county voters' pamphlet in the county clerk's or filing officer's official capacity if the county clerk or filing officer is a candidate in the election for which the voters' pamphlet is printed.
(b) As used in this subsection, “filing officer” has the meaning given that term in ORS 254.165.

SECTION 5. ORS 251.170 is amended to read:

251.170. (1) The translation of a state voters' pamphlet or county voters' pamphlet required under ORS 251.167 shall be made in the manner described in this section.

(2) For each state voters' pamphlet and county voters' pamphlet mailed to residents of a county, the Secretary of State shall have the following portions of the voters' pamphlet professionally translated into each language for which a translation is required under ORS 251.167:

(a) Any official statement or communication made by the Secretary of State, county clerk, filing office or other public elections official, including any information described in ORS 251.026 or 251.315 (1)(a) to (d) and (g) and any other information regarding services offered by elections offices, how to cast a ballot and key dates for the election;
(b) The ballot title for each measure;
(c) The explanatory statement for each measure;
(d) The financial estimate for each measure and any statement prepared for a measure under
ORS 250.125;
  (e) Any racial and ethnic impact statement prepared for a measure under ORS 137.685;
  (f) Any statement submitted for a measure by a citizen panel under ORS 250.141; and
  (g) Except an argument for a measure prepared by the Legislative Assembly under ORS 251.245,
any other statement for a measure created by a public body as defined in ORS 174.109.

  (3) In addition to the materials that the Secretary of State is required to have professionally
translated under subsection (2) of this section, the Secretary of State shall allow to be included in
the translated version of each state voters' pamphlet that is made available on the website of the
Secretary of State or of a county under ORS 251.167:
  (a) Translations of a candidate statement submitted under ORS 251.065, provided that:
      (A) The candidate is a candidate for federal or statewide office;
      (B) The translation is filed by a candidate or the agent [principal campaign committee] of a
candidate described in subparagraph (A) of this paragraph;
      (C) Neither the translation nor the candidate statement submitted under ORS 251.065 is rejected
under ORS 251.055;
      (D) The candidate statement meets the requirements of a candidate statement set forth in this
chapter; and
      (E) Any translation filed under this paragraph is in one of the five most commonly spoken lan-
guages in this state and the five most commonly spoken languages of each county the office
represents, other than English, as listed by the Secretary of State under ORS 251.167.
  (b) Translations of an argument in support of or in opposition to a state measure filed under
ORS 251.255, provided that:
      (A) The translation is filed by the person who filed the argument in support of or in opposition
to a state measure under ORS 251.255;
      (B) Neither the translation nor the argument in support of or in opposition to a state measure
filed under ORS 251.255 is rejected under ORS 251.055;
      (C) The statement in support of or in opposition to a state measure meets the requirements of
a statement in support of or in opposition to a state measure set forth in this chapter; and
      (D) Any translation filed under this paragraph is in one of the five most commonly spoken lan-
guages in this state and the five most commonly spoken languages of each county the office
represents, other than English, as listed by the Secretary of State under ORS 251.167.
  (c) Translations of any 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 para-
graph is in one of the five most commonly spoken languages in this state and the five most com-
monly spoken languages of each county the office represents, other than English, as listed by
the Secretary of State under ORS 251.167.

  (4)(a) A translation that is permitted or required under this section is not required to be iden-
tical in words to the original version but must be consistent with the meaning of the original ver-
sion.
      (b) A translation is not subject to any limitations on the number of words allowed set forth in
this chapter.

  (5) A county may at its own expense make or accept for publication on the county's website,
as part of a translated voters' pamphlet required under ORS 251.167, any portion of a state or
county voters' pamphlet that is not described in this section.
  (6) The Secretary of State:
(a) May adopt any rules necessary to implement this section; and
(b) Except as provided in subsection (5) of this section, is responsible for all costs necessary to comply with this section.

(7) As used in this section, “statewide office” means Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, or judge on the Oregon Supreme Court, the Oregon Court of Appeals or the Oregon Tax Court.

SECTION 6. ORS 247.948 is amended to read:

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

(A) The major political party or minor political party, if any, with which an elector is affiliated;
(B) The residence address of an elector;
(C) The address where an elector receives a ballot;
(D) The year in which an elector was born;
(E) The name or number of the precinct in which the elector resides;
(F) The precinct split of an elector;
(G) The administrative number for an elector that is used by the Secretary of State to determine which elections an elector may vote in;
(H) The telephone number of an elector;
(I) Whether or not an elector voted in previous elections; and
(J) During an election period, the ballot status of an elector. In order to comply with this subparagraph, during the election period, the secretary shall maintain a list of the ballot status of electors. The secretary shall update the list, and make available an updated version of the list, on each business day of the election period.

(b) As used in this subsection:

(A) “Ballot status” means whether or not an elector has cast a ballot in the election;
(B) “Election period” means the period of time beginning on the date that ballots for an election are first mailed to electors and ending on the date of the election; and
(C) “Precinct split” means the enhanced precinct name or number used to determine the specific ballot configuration that will be received by an elector who resides in a precinct that:

(i) Has more than one election district subdivision; and
(ii) Requires more than one ballot configuration for electors in the precinct.

(2) Except as set forth in ORS 247.973 or as otherwise required by law, all confidential records, including any record that is required to be kept confidential as part of the Address Confidentiality Program under ORS 192.820 to 192.868, and the following information about an elector contained within an elector's registration file is not subject to inspection as a public record under ORS 192.311 to 192.478 and may not be disclosed by the Secretary of State or a county clerk:

(a) The birth month of an elector;
(b) The day of the month on which an elector was born;
(c) The Social Security number of an elector;
(d) The driver license number of an elector; and
(e) The signature of an elector.

(3) Nothing in this section is intended to limit or restrict the disclosure of information that is otherwise subject to inspection as a public record under ORS 192.311 to 192.478.
SECTION 7. ORS 247.940 is amended to read:

247.940. (1) A major political party qualified under ORS 248.006 or a minor political party qualified under ORS 248.008 may request from the Secretary of State a statewide list of electors, as described in ORS 247.945 (4). The list may not contain any information about participants in the Address Confidentiality Program established under ORS 192.820 to 192.868 or any information that may not be publicly disclosed under ORS 247.948. A major political party or a minor political party may make no more than two separate requests under this subsection per primary election, general election or special election.

(2)(a) A request for a list under subsection (1) of this section must be made:

[A] Not earlier than [six] three months before the primary election, general election or special election; and

(b) Not later than the 15th day before the primary election, general election or special election.

(b) A request for a list under subsection (1) of this section may not be made during the period beginning on the date of the primary election, general election or special election and ending 14 days after the date of the election.

(3) If the Secretary of State receives a request under subsection (1) of this section, the secretary shall deliver the list not later than 10 days after receiving the request.

(4) The Secretary of State may not charge for preparation or delivery of the list supplied under this section.

SECTION 8. ORS 260.232 is amended to read:

260.232. (1) The Secretary of State may impose a civil penalty as provided in this section, in addition to any other penalty that may be imposed, for:

(a) Failure to file a statement or certificate required to be filed under ORS 260.044, 260.057, 260.076, 260.078, 260.083, 260.112 or 260.118.

(b) Failure to include in a statement filed under ORS 260.044, 260.057, 260.076, 260.078, 260.083, 260.112 or 260.118 the information required under ORS 260.044, 260.057, 260.076, 260.083 or 260.118.

(2)(a) If a person required to file has not filed a statement or certificate complying with applicable provisions of ORS 260.044, 260.057, 260.076, 260.078, 260.083, 260.112 or 260.118 within the time specified in ORS 260.044, 260.057, 260.076, 260.078 or 260.118, the Secretary of State by first class mail or [electronically] electronic mail shall notify the person or elector designated under ORS 260.042 or 260.118 that a penalty may be imposed and that the person has 20 days from the service date on the notice to request a hearing before the Secretary of State.

(b) If the person required to file is a candidate or the principal campaign committee of a candidate, the Secretary of State shall send the notice described in paragraph (a) of this subsection by first class mail or [electronically] electronic mail to the candidate. The notice shall be used for purposes of determining the deadline for requesting a hearing under subsection (3) of this section.

(3) A hearing on whether to impose a civil penalty and to consider circumstances in mitigation shall be held by the Secretary of State:

(a) Upon request of the person against whom the penalty may be assessed, if the request is made not later than the 20th day after the service date on the notice sent under subsection (2) of this section;

(b) Upon request of the filing officer with whom a statement or certificate was required to be filed but was not filed; or

(c) Upon the Secretary of State’s own motion.
A hearing under subsection (3) of this section shall be held not later than 45 days after the
deadline for the person against whom the penalty may be assessed to request a hearing. However,
if requested by the person against whom the penalty may be assessed, a hearing under subsection
(3) of this section shall be held not later than 60 days after the deadline for the person against whom
the penalty may be assessed to request a hearing.
(5) The Secretary of State shall issue an order not later than 90 days after a hearing or after
the deadline for requesting a hearing if no hearing is held.
(6) The person against whom a penalty may be assessed need not appear in person at a hearing
held under this section, but instead may submit written testimony and other evidence, sworn to be-
fore a notary public, to the Secretary of State for entry in the hearing record. The testimony and
other evidence must be received by the secretary not later than three business days before the day
of the hearing and may be submitted electronically.
(7) A civil penalty imposed under this section may not be more than the following:
(a) For failure to file a statement or certificate required to be filed under ORS 260.044, 260.057,
260.076, 260.078, 260.083, 260.112 or 260.118, 10 percent of the total amount of the contribution or
expenditure required to be included in the statement or certificate; or
(b) For each failure to include in a statement filed under ORS 260.044, 260.057, 260.076, 260.078,
260.083, 260.112 or 260.118 the information required under ORS 260.044, 260.057, 260.076, 260.083 or
260.118, 10 percent of the total amount of the contribution or expenditure required to be included
in the statement.
(8) The Secretary of State, upon a showing of mitigating circumstances, may reduce the amount
of the penalty described in subsection (7) of this section.
(9) Except as otherwise provided by this section, civil penalties under this section shall be im-
posed as provided in ORS 183.745.
SECTION 9. ORS 249.875, as amended by section 3, chapter 84, Oregon Laws 2022, is amended
to read:
249.875. (1) A recall petition shall be void unless completed and filed not later than the 120th
day after filing the prospective petition described in ORS 249.865. Not later than the 90th day after
[filing] the filing officer approves the prospective petition for circulation, the petition shall be
submitted to the filing officer who shall verify the signatures not later than the 30th 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.
SECTION 10. ORS 249.002 is amended to read:
249.002. As used in this chapter:
(1) “Candidate” means an individual whose name is or is expected to be printed on the official
ballot or a write-in candidate.
(2) “County clerk” means the county clerk or the county official in charge of elections.
(3) “Elector” means an individual qualified to vote under section 2, Article II, Oregon Consti-
tution.
(4) “Judge” means judge of the Supreme Court, Court of Appeals, circuit court or the Oregon
Tax Court[ , or any county judge who exercises judicial functions].

[7]
(5) “Member” means an individual who is registered as being affiliated with the political party.

(6) “Minor political party” means a political party that has qualified as a minor political party under ORS 248.008.

(7) “Nonpartisan office” means the office of judge, Commissioner of the Bureau of Labor and Industries, any elected office of a metropolitan service district under ORS chapter 268, justice of the peace, county clerk, county assessor, county surveyor, county treasurer, county judge who exercises judicial functions, sheriff, district attorney or any office designated nonpartisan by a home rule charter.

(8) “Prospective petition” means the information, except signatures and other identification of petition signers, required to be contained in a completed petition.

(9) “Public office” means any national, state, county, city or district office or position, except a political party office, filled by the electors.

(10) “State office” means Governor, Secretary of State, State Treasurer, Attorney General, Commissioner of the Bureau of Labor and Industries, judge, state Senator, state Representative or district attorney.

SECTION 11. Section 12 of this 2023 Act is added to and made a part of ORS chapter 249.

SECTION 12. (1) The Secretary of State by rule shall adopt an electronic filing system to allow a nominating petition or declaration of candidacy to be filed electronically using the Internet.

(2) All nominating petitions and declarations of candidacy must be filed using the electronic filing system adopted by the secretary under this section.

(3) The Secretary of State may adopt rules to administer this section.

SECTION 13. ORS 249.720 is amended to read:

249.720. (1) A certificate of nomination shall contain:

(a) The name by which the candidate is commonly known. A candidate may use a nickname in parentheses in connection with the full name.

(b) Address information as required by the Secretary of State by rule.

(c) The office, and department or position number if any, for which the candidate is nominated.

(d) The name of the minor political party, if any, that nominated the candidate.

(e) If the candidate is nominated for a partisan office by an assembly of electors or individual electors, the word “nonaffiliated” and a statement that the candidate has not been a member of a major or minor political party during at least 180 days before the deadline for filing the certificate of nomination.

(f) A statement that the candidate will qualify if elected.

(g) The signature of the candidate.

(h) A statement of the candidate’s occupation, educational and occupational background and prior governmental experience.

(2) The Secretary of State shall ensure that the template for a certificate of nomination provides the candidate with the option to provide the candidate’s race and ethnicity.

(3) For certificates of nomination of candidates for electors of President and Vice President of the United States, the names of the candidates for President and Vice President the candidates represent may be added to the name of the minor political party or the word “nonaffiliated,” as the case may be. The names of all the candidates of a minor political party, or nonaffiliated candidates, for electors of President and Vice President may be upon the same certificate of nomination.

(4) A certificate of nomination made by an assembly of electors shall be signed by the presiding
officer and secretary of the nominating convention of the assembly. A certificate of nomination made
by a minor political party shall be signed by an officer of the party. An affidavit shall be made on
the certificate by the presiding officer and secretary of the nominating convention of the assembly
or by the officer of the minor political party and signed and acknowledged by them [before a notary
public]. The affidavit shall be that the statements in the certificate of nomination and related docu-
ments are true. With respect to a certificate of nomination made by a minor political party,
the affidavit shall state that the officer of the minor political party satisfied the require-
ments of ORS 248.009. With respect to an assembly of electors, the affidavit shall state that the
assembly satisfied the requirements of ORS 249.735.

SECTION 14. ORS 247.965, as amended by section 1, chapter 114, Oregon Laws 2022, is
amended to read:

247.965. (1) Any elector may request the county clerk to keep the residence address of the
elector and any family member residing with the elector exempt from disclosure as a public re-
cord under ORS 192.311 to 192.478.

(2) The county clerk shall keep the residence address of an elector and any family member
residing with the elector exempt from disclosure as a public record under ORS 192.311 to 192.478
if:

(a) The elector making the request demonstrates to the satisfaction of the county clerk that the
elector's personal safety or the safety of any family member residing with the elector is in danger
if the elector's address remains available for public inspection; or

(b) The elector has been identified as an election worker by the Secretary of State, county clerk
or other public body as defined in ORS 174.109 in a manner prescribed by the secretary by rule.

(3) The county clerk shall automatically mail a ballot to an elector whose residence address is
exempt from disclosure under this section.

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

(5) An exemption from disclosure granted under this section includes an exemption from disclo-
sure of the residence address of an elector under ORS 247.940 or 247.945.

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

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

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

(7) As used in this section, “election worker” means an individual employed full-time, part-time
or as a volunteer:

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

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

SECTION 15. ORS 192.345 is amended to read:

192.345. The following public records are exempt from disclosure under ORS 192.311 to 192.478
unless the public interest requires disclosure in the particular instance:

(1) Records of a public body pertaining to litigation to which the public body is a party if the
complaint has been filed, or if the complaint has not been filed, if the public body shows that such

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litigation is reasonably likely to occur. This exemption does not apply to litigation which has been
concluded, and nothing in this subsection shall limit any right or opportunity granted by discovery
or deposition statutes to a party to litigation or potential litigation.

(2) Trade secrets. “Trade secrets,” as used in this section, may include, but are not limited to,
any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or
compilation of information which is not patented, which is known only to certain individuals within
an organization and which is used in a business it conducts, having actual or potential commercial
value, and which gives its user an opportunity to obtain a business advantage over competitors who
do not know or use it.

(3) Investigatory information compiled for criminal law purposes. The record of an arrest or the
report of a crime shall be disclosed unless and only for so long as there is a clear need to delay
disclosure in the course of a specific investigation, including the need to protect the complaining
party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or
granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the
record of an arrest or the report of a crime includes, but is not limited to:

(a) The arrested person’s name, age, residence, employment, marital status and similar bi-
ographical information;

(b) The offense with which the arrested person is charged;

(c) The conditions of release pursuant to ORS 135.230 to 135.290;

(d) The identity of and biographical information concerning both complaining party and victim;

(e) The identity of the investigating and arresting agency and the length of the investigation;

(f) The circumstances of arrest, including time, place, resistance, pursuit and weapons used; and

(g) Such information as may be necessary to enlist public assistance in apprehending fugitives
from justice.

(4) Test questions, scoring keys, and other data used to administer a licensing examination,
employment, academic or other examination or testing procedure before the examination is given
and if the examination is to be used again. Records establishing procedures for and instructing
persons administering, grading or evaluating an examination or testing procedure are included in
this exemption, to the extent that disclosure would create a risk that the result might be affected.

(5) Information consisting of production records, sale or purchase records or catch records, or
similar business records of a private concern or enterprise, required by law to be submitted to or
inspected by a governmental body to allow it to determine fees or assessments payable or to estab-
lish production quotas, and the amounts of such fees or assessments payable or paid, to the extent
that such information is in a form that would permit identification of the individual concern or en-
terprise. This exemption does not include records submitted by long term care facilities as defined
in ORS 442.015 to the state for purposes of reimbursement of expenses or determining fees for pa-
tient care. Nothing in this subsection shall limit the use that can be made of such information for
regulatory purposes or its admissibility in any enforcement proceeding.

(6) Information relating to the appraisal of real estate prior to its acquisition.

(7) The names and signatures of employees who sign authorization cards or petitions for the
purpose of requesting representation or decertification elections.

(8) Investigatory information relating to any complaint filed under ORS 659A.820 or 659A.825,
until such time as the complaint is resolved under ORS 659A.835, or a final order is issued under
ORS 659A.850.

(9) Investigatory information relating to any complaint or charge filed under ORS 243.676 and
(10) Records, reports and other information received or compiled by the Director of the Department of Consumer and Business Services under ORS 697.732.

(11) Information concerning the location of archaeological sites or objects as those terms are defined in ORS 358.905, except if the governing body of an Indian tribe requests the information and the need for the information is related to that Indian tribe’s cultural or religious activities. This exemption does not include information relating to a site that is all or part of an existing, commonly known and publicized tourist facility or attraction.

(12) A personnel discipline action, or materials or documents supporting that action.

(13) Fish and wildlife information:
    (a) Developed pursuant to ORS 496.004, 496.172 and 498.026 or ORS 496.192 and 564.100, regarding the habitat, location or population of any threatened species or endangered species; or
    (b) Described in section 2, chapter 532, Oregon Laws 2019.

(14) Writings prepared by or under the direction of faculty of public educational institutions, in connection with research, until publicly released, copyrighted or patented.

(15) Computer programs developed or purchased by or for any public body for its own use. As used in this subsection, “computer program” means a series of instructions or statements which permit the functioning of a computer system in a manner designed to provide storage, retrieval and manipulation of data from such computer system, and any associated documentation and source material that explain how to operate the computer program. “Computer program” does not include:
    (a) The original data, including but not limited to numbers, text, voice, graphics and images;
    (b) Analyses, compilations and other manipulated forms of the original data produced by use of the program; or
    (c) The mathematical and statistical formulas which would be used if the manipulated forms of the original data were to be produced manually.

(16) Data and information provided by participants to mediation under ORS 36.256.

(17) Investigatory information relating to any complaint or charge filed under ORS chapter 654, until a final administrative determination is made or, if a citation is issued, until an employer receives notice of any citation.

(18) Specific operational plans in connection with an anticipated threat to individual or public safety for deployment and use of personnel and equipment, prepared or used by a public body, if public disclosure of the plans would endanger an individual’s life or physical safety or jeopardize a law enforcement activity.

(19)(a) Audits or audit reports required of a telecommunications carrier. As used in this paragraph, “audit or audit report” means any external or internal audit or audit report pertaining to a telecommunications carrier, as defined in ORS 133.721, or pertaining to a corporation having an affiliated interest, as defined in ORS 759.390, with a telecommunications carrier that is intended to make the operations of the entity more efficient, accurate or compliant with applicable rules, procedures or standards, that may include self-criticism and that has been filed by the telecommunications carrier or affiliate under compulsion of state law. “Audit or audit report” does not mean an audit of a cost study that would be discoverable in a contested case proceeding and that is not subject to a protective order; and

(b) Financial statements. As used in this paragraph, “financial statement” means a financial statement of a nonregulated corporation having an affiliated interest, as defined in ORS 759.390, with a telecommunications carrier, as defined in ORS 133.721.
(20) The residence address of an elector if authorized under ORS 247.965 and subject to ORS 247.967.

(21) The following records, communications and information submitted to a housing authority as defined in ORS 456.005, or to an urban renewal agency as defined in ORS 457.010, by applicants for and recipients of loans, grants and tax credits:

(a) Personal and corporate financial statements and information, including tax returns;
(b) Credit reports;
(c) Project appraisals, excluding appraisals obtained in the course of transactions involving an interest in real estate that is acquired, leased, rented, exchanged, transferred or otherwise disposed of as part of the project, but only after the transactions have closed and are concluded;
(d) Market studies and analyses;
(e) Articles of incorporation, partnership agreements and operating agreements;
(f) Commitment letters;
(g) Project pro forma statements;
(h) Project cost certifications and cost data;
(i) Audits;
(j) Project tenant correspondence requested to be confidential;
(k) Tenant files relating to certification; and
(L) Housing assistance payment requests.

(22) Records or information that, if disclosed, would allow a person to:

(a) Gain unauthorized access to buildings or other property;
(b) Identify those areas of structural or operational vulnerability that would permit unlawful disruption to, or interference with, services; or
(c) Disrupt, interfere with or gain unauthorized access to public funds or to information processing, communication or telecommunication systems, including the information contained in the systems, that are used or operated by a public body.

(23) Records or information that would reveal or otherwise identify security measures, or weaknesses or potential weaknesses in security measures, taken or recommended to be taken to protect:

(a) An individual;
(b) Buildings or other property;
(c) Information processing, communication or telecommunication systems, including the information contained in the systems; or
(d) Those operations of the Oregon State Lottery the security of which are subject to study and evaluation under ORS 461.180 (6).

(24) Personal information held by or under the direction of officials of the Oregon Health and Science University or a public university listed in ORS 352.002 about a person who has or who is interested in donating money or property to the Oregon Health and Science University or a public university, if the information is related to the family of the person, personal assets of the person or is incidental information not related to the donation.

(25) The home address, professional address and telephone number of a person who has or who is interested in donating money or property to a public university listed in ORS 352.002.

(26) Records of the name and address of a person who files a report with or pays an assessment to a commodity commission established under ORS 576.051 to 576.455, the Oregon Beef Council created under ORS 577.210 or the Oregon Wheat Commission created under ORS 578.030.
(27) Information provided to, obtained by or used by a public body to authorize, originate, receive or authenticate a transfer of funds, including but not limited to a credit card number, payment card expiration date, password, financial institution account number and financial institution routing number.

(28) Social Security numbers as provided in ORS 107.840.

(29) The electronic mail address of a student who attends a public university listed in ORS 352.002 or Oregon Health and Science University.

(30) The name, home address, professional address or location of a person that is engaged in, or that provides goods or services for, medical research at Oregon Health and Science University that is conducted using animals other than rodents. This subsection does not apply to Oregon Health and Science University press releases, websites or other publications circulated to the general public.

(31) If requested by a public safety officer, as defined in ORS 181A.355, or a county juvenile department employee who is charged with and primarily performs duties related to the custody, control or supervision of adjudicated youths confined in a detention facility, as defined in ORS 419A.004:

(a) The home address and home telephone number of the public safety officer or county juvenile department employee contained in the voter registration records for the officer or employee.

(b) The home address and home telephone number of the public safety officer or county juvenile department employee contained in records of the Department of Public Safety Standards and Training.

(c) The name of the public safety officer or county juvenile department employee contained in county real property assessment or taxation records. This exemption:

(A) Applies only to the name of the officer or employee and any other owner of the property in connection with a specific property identified by the officer or employee in a request for exemption from disclosure;

(B) Applies only to records that may be made immediately available to the public upon request in person, by telephone or using the Internet;

(C) Applies until the officer or employee requests termination of the exemption;

(D) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for governmental purposes; and

(E) May not result in liability for the county if the name of the officer or employee is disclosed after a request for exemption from disclosure is made under this subsection.

(32) Unless the public records request is made by a financial institution, as defined in ORS 706.008, consumer finance company licensed under ORS chapter 725, mortgage banker or mortgage broker licensed under ORS 86A.095 to 86A.198, or title company for business purposes, records described in paragraph (a) of this subsection, if the exemption from disclosure of the records is sought by an individual described in paragraph (b) of this subsection using the procedure described in paragraph (c) of this subsection:

(a) The home address, home or cellular telephone number or personal electronic mail address contained in the records of any public body that has received the request that is set forth in:

(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance, release, satisfaction, substitution of trustee, easement, dog license, marriage license or military discharge record that is in the possession of the county clerk; or

(B) Any public record of a public body other than the county clerk.
(b) The individual claiming the exemption from disclosure must be a district attorney, a deputy
district attorney, the Attorney General or an assistant attorney general, the United States Attorney
for the District of Oregon or an assistant United States attorney for the District of Oregon, a city
attorney who engages in the prosecution of criminal matters or a deputy city attorney who engages
in the prosecution of criminal matters.

(c) The individual claiming the exemption from disclosure must do so by filing the claim in
writing with the public body for which the exemption from disclosure is being claimed on a form
prescribed by the public body. Unless the claim is filed with the county clerk, the claim form shall
list the public records in the possession of the public body to which the exemption applies. The ex-
emption applies until the individual claiming the exemption requests termination of the exemption
or ceases to qualify for the exemption.

(33) The following voluntary conservation agreements and reports:

(a) Land management plans required for voluntary stewardship agreements entered into under
ORS 541.973; and

(b) Written agreements relating to the conservation of greater sage grouse entered into volun-
tarily by owners or occupiers of land with a soil and water conservation district under ORS 568.550.

(34) Sensitive business records or financial or commercial information of the State Accident In-
surance Fund Corporation that is not customarily provided to business competitors. This exemption
does not:

(a) Apply to the formulas for determining dividends to be paid to employers insured by the State
Accident Insurance Fund Corporation;

(b) Apply to contracts for advertising, public relations or lobbying services or to documents re-
lated to the formation of such contracts;

(c) Apply to group insurance contracts or to documents relating to the formation of such con-
tracts, except that employer account records shall remain exempt from disclosure as provided in
ORS 192.355 (35); or

(d) Provide the basis for opposing the discovery of documents in litigation pursuant to the ap-
licable rules of civil procedure.

(35) Records of the Department of Public Safety Standards and Training relating to investi-
gations conducted under ORS 181A.640 or 181A.870 (6), until the department issues the report de-
scribed in ORS 181A.640 or 181A.870.

(36) A medical examiner’s report, autopsy report or laboratory test report ordered by a medical
examiner under ORS 146.117.

(37) Any document or other information related to an audit of a public body, as defined in ORS
174.109, that is in the custody of an auditor or audit organization operating under nationally rec-
ognized government auditing standards, until the auditor or audit organization issues a final audit
report in accordance with those standards or the audit is abandoned. This exemption does not pro-
hibit disclosure of a draft audit report that is provided to the audited entity for the entity’s response
to the audit findings.

(38)(a) Personally identifiable information collected as part of an electronic fare collection sys-
tem of a mass transit system.

(b) The exemption from disclosure in paragraph (a) of this subsection does not apply to public
records that have attributes of anonymity that are sufficient, or that are aggregated into groupings
that are broad enough, to ensure that persons cannot be identified by disclosure of the public re-
cords.
(c) As used in this subsection:

(A) “Electronic fare collection system” means the software and hardware used for, associated
with or relating to the collection of transit fares for a mass transit system, including but not limited
to computers, radio communication systems, personal mobile devices, wearable technology, fare in-
struments, information technology, data storage or collection equipment, or other equipment or im-
provements.

(B) “Mass transit system” has the meaning given that term in ORS 267.010.

(C) “Personally identifiable information” means all information relating to a person that ac-
quires or uses a transit pass or other fare payment medium in connection with an electronic fare
collection system, including but not limited to:

(i) Customer account information, date of birth, telephone number, physical address, electronic
mail address, credit or debit card information, bank account information, Social Security or taxpayer
identification number or other identification number, transit pass or fare payment medium balances
or history, or similar personal information; or

(ii) Travel dates, travel times, frequency of use, travel locations, service types or vehicle use,
or similar travel information.

(39)(a) If requested by a civil code enforcement officer:

(A) The home address and home telephone number of the civil code enforcement officer con-
tained in the voter registration records for the officer.

(B) The name of the civil code enforcement officer contained in county real property assessment
or taxation records. This exemption:

(i) Applies only to the name of the civil code enforcement officer and any other owner of the
property in connection with a specific property identified by the officer in a request for exemption
from disclosure;

(ii) Applies only to records that may be made immediately available to the public upon request
in person, by telephone or using the Internet;

(iii) Applies until the civil code enforcement officer requests termination of the exemption;

(iv) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for
governmental purposes; and

(v) May not result in liability for the county if the name of the civil code enforcement officer
is disclosed after a request for exemption from disclosure is made under this subsection.

(b) As used in this subsection, “civil code enforcement officer” means an employee of a public
body, as defined in ORS 174.109, who is charged with enforcing laws or ordinances relating to land
use, zoning, use of rights-of-way, solid waste, hazardous waste, sewage treatment and disposal or the
state building code.

(40) Audio or video recordings, whether digital or analog, resulting from a law enforcement
officer’s operation of a video camera worn upon the officer’s person that records the officer’s inter-
actions with members of the public while the officer is on duty. When a recording described in this
subsection is subject to disclosure, the following apply:

(a) Recordings that have been sealed in a court’s record of a court proceeding or otherwise or-
dered by a court not to be disclosed may not be disclosed.

(b) A request for disclosure under this subsection must identify the approximate date and time
of an incident for which the recordings are requested and be reasonably tailored to include only that
material for which a public interest requires disclosure.

(c) A video recording disclosed under this subsection must, prior to disclosure, be edited in a
manner as to render the faces of all persons within the recording unidentifiable.

(41) The contents of tips reported to a tip line, as defined in ORS 339.329. However, personally identifiable information, as defined in ORS 339.329, is not subject to public interest balancing under this section and remains exempt from disclosure except as provided in ORS 339.329.

(42) Residential addresses of individuals with intellectual or developmental disabilities residing in adult foster homes as defined in ORS 443.705 or residential training facilities or residential training homes as those terms are defined in ORS 443.400.

(43) Signatures submitted on a signature sheet for an initiative, nominating, political party formation, referendum or recall petition.

SECTION 16. ORS 192.345, as amended by section 4, chapter 532, Oregon Laws 2019, section 2, chapter 318, Oregon Laws 2021, and section 23, chapter 489, Oregon Laws 2021, is amended to read:

192.345. The following public records are exempt from disclosure under ORS 192.311 to 192.478 unless the public interest requires disclosure in the particular instance:

(1) Records of a public body pertaining to litigation to which the public body is a party if the complaint has been filed, or if the complaint has not been filed, if the public body shows that such litigation is reasonably likely to occur. This exemption does not apply to litigation which has been concluded, and nothing in this subsection shall limit any right or opportunity granted by discovery or deposition statutes to a party to litigation or potential litigation.

(2) Trade secrets. “Trade secrets,” as used in this section, may include, but are not limited to, any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented, which is known only to certain individuals within an organization and which is used in a business it conducts, having actual or potential commercial value, and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

(3) Investigatory information compiled for criminal law purposes. The record of an arrest or the report of a crime shall be disclosed unless and only for so long as there is a clear need to delay disclosure in the course of a specific investigation, including the need to protect the complaining party or the victim. Nothing in this subsection shall limit any right constitutionally guaranteed, or granted by statute, to disclosure or discovery in criminal cases. For purposes of this subsection, the record of an arrest or the report of a crime includes, but is not limited to:

(a) The arrested person’s name, age, residence, employment, marital status and similar biographical information;

(b) The offense with which the arrested person is charged;

(c) The conditions of release pursuant to ORS 135.230 to 135.290;

(d) The identity of and biographical information concerning both complaining party and victim;

(e) The identity of the investigating and arresting agency and the length of the investigation;

(f) The circumstances of arrest, including time, place, resistance, pursuit and weapons used; and

(g) Such information as may be necessary to enlist public assistance in apprehending fugitives from justice.

(4) Test questions, scoring keys, and other data used to administer a licensing examination, employment, academic or other examination or testing procedure before the examination is given and if the examination is to be used again. Records establishing procedures for and instructing persons administering, grading or evaluating an examination or testing procedure are included in this exemption, to the extent that disclosure would create a risk that the result might be affected.
(5) Information consisting of production records, sale or purchase records or catch records, or similar business records of a private concern or enterprise, required by law to be submitted to or inspected by a governmental body to allow it to determine fees or assessments payable or to establish production quotas, and the amounts of such fees or assessments payable or paid, to the extent that such information is in a form that would permit identification of the individual concern or enterprise. This exemption does not include records submitted by long term care facilities as defined in ORS 442.015 to the state for purposes of reimbursement of expenses or determining fees for patient care. Nothing in this subsection shall limit the use that can be made of such information for regulatory purposes or its admissibility in any enforcement proceeding.

(6) Information relating to the appraisal of real estate prior to its acquisition.

(7) The names and signatures of employees who sign authorization cards or petitions for the purpose of requesting representation or decertification elections.

(8) Investigatory information relating to any complaint filed under ORS 659A.820 or 659A.825, until such time as the complaint is resolved under ORS 659A.835, or a final order is issued under ORS 659A.850.

(9) Investigatory information relating to any complaint or charge filed under ORS 243.676 and 663.180.

(10) Records, reports and other information received or compiled by the Director of the Department of Consumer and Business Services under ORS 697.732.

(11) Information concerning the location of archaeological sites or objects as those terms are defined in ORS 358.905, except if the governing body of an Indian tribe requests the information and the need for the information is related to that Indian tribe’s cultural or religious activities. This exemption does not include information relating to a site that is all or part of an existing, commonly known and publicized tourist facility or attraction.

(12) A personnel discipline action, or materials or documents supporting that action.

(13) Fish and wildlife information developed pursuant to ORS 496.004, 496.172 and 498.026 or ORS 496.192 and 564.100, regarding the habitat, location or population of any threatened species or endangered species.

(14) Writings prepared by or under the direction of faculty of public educational institutions, in connection with research, until publicly released, copyrighted or patented.

(15) Computer programs developed or purchased by or for any public body for its own use. As used in this subsection, “computer program” means a series of instructions or statements which permit the functioning of a computer system in a manner designed to provide storage, retrieval and manipulation of data from such computer system, and any associated documentation and source material that explain how to operate the computer program. “Computer program” does not include:

(a) The original data, including but not limited to numbers, text, voice, graphics and images;

(b) Analyses, compilations and other manipulated forms of the original data produced by use of the program; or

(c) The mathematical and statistical formulas which would be used if the manipulated forms of the original data were to be produced manually.

(16) Data and information provided by participants to mediation under ORS 36.256.

(17) Investigatory information relating to any complaint or charge filed under ORS chapter 654, until a final administrative determination is made or, if a citation is issued, until an employer receives notice of any citation.

(18) Specific operational plans in connection with an anticipated threat to individual or public
safety for deployment and use of personnel and equipment, prepared or used by a public body, if
public disclosure of the plans would endanger an individual’s life or physical safety or jeopardize a
law enforcement activity.

(19)(a) Audits or audit reports required of a telecommunications carrier. As used in this para-
graph, “audit or audit report” means any external or internal audit or audit report pertaining to a
telecommunications carrier, as defined in ORS 133.721, or pertaining to a corporation having an af-
iliated interest, as defined in ORS 759.390, with a telecommunications carrier that is intended to
make the operations of the entity more efficient, accurate or compliant with applicable rules, pro-
cedures or standards, that may include self-criticism and that has been filed by the telecommuni-
cations carrier or affiliate under compulsion of state law. “Audit or audit report” does not mean an
audit of a cost study that would be discoverable in a contested case proceeding and that is not
subject to a protective order; and

(b) Financial statements. As used in this paragraph, “financial statement” means a financial
statement of a nonregulated corporation having an affiliated interest, as defined in ORS 759.390,
with a telecommunications carrier, as defined in ORS 133.721.

(20) The residence address of an elector if authorized under ORS 247.965 and subject to ORS
247.967.

(21) The following records, communications and information submitted to a housing authority
as defined in ORS 456.005, or to an urban renewal agency as defined in ORS 457.010, by applicants
for and recipients of loans, grants and tax credits:

(a) Personal and corporate financial statements and information, including tax returns;
(b) Credit reports;
(c) Project appraisals, excluding appraisals obtained in the course of transactions involving an
interest in real estate that is acquired, leased, rented, exchanged, transferred or otherwise disposed
of as part of the project, but only after the transactions have closed and are concluded;
(d) Market studies and analyses;
(e) Articles of incorporation, partnership agreements and operating agreements;
(f) Commitment letters;
(g) Project pro forma statements;
(h) Project cost certifications and cost data;
(i) Audits;
(j) Project tenant correspondence requested to be confidential;
(k) Tenant files relating to certification; and
(L) Housing assistance payment requests.

(22) Records or information that, if disclosed, would allow a person to:

(a) Gain unauthorized access to buildings or other property;
(b) Identify those areas of structural or operational vulnerability that would permit unlawful
disruption to, or interference with, services; or
(c) Disrupt, interfere with or gain unauthorized access to public funds or to information pro-
cessing, communication or telecommunication systems, including the information contained in the
systems, that are used or operated by a public body.

(23) Records or information that would reveal or otherwise identify security measures, or
weaknesses or potential weaknesses in security measures, taken or recommended to be taken to
protect:

(a) An individual;
(b) Buildings or other property;
(c) Information processing, communication or telecommunication systems, including the information contained in the systems; or
(d) Those operations of the Oregon State Lottery the security of which are subject to study and evaluation under ORS 461.180 (6).

(24) Personal information held by or under the direction of officials of the Oregon Health and Science University or a public university listed in ORS 352.002 about a person who has or who is interested in donating money or property to the Oregon Health and Science University or a public university, if the information is related to the family of the person, personal assets of the person or is incidental information not related to the donation.

(25) The home address, professional address and telephone number of a person who has or who is interested in donating money or property to a public university listed in ORS 352.002.

(26) Records of the name and address of a person who files a report with or pays an assessment to a commodity commission established under ORS 576.051 to 576.455, the Oregon Beef Council created under ORS 577.210 or the Oregon Wheat Commission created under ORS 578.030.

(27) Information provided to, obtained by or used by a public body to authorize, originate, receive or authenticate a transfer of funds, including but not limited to a credit card number, payment card expiration date, password, financial institution account number and financial institution routing number.

(28) Social Security numbers as provided in ORS 107.840.

(29) The electronic mail address of a student who attends a public university listed in ORS 352.002 or Oregon Health and Science University.

(30) The name, home address, professional address or location of a person that is engaged in, or that provides goods or services for, medical research at Oregon Health and Science University that is conducted using animals other than rodents. This subsection does not apply to Oregon Health and Science University press releases, websites or other publications circulated to the general public.

(31) If requested by a public safety officer, as defined in ORS 181A.355, or a county juvenile department employee who is charged with and primarily performs duties related to the custody, control or supervision of adjudicated youths confined in a detention facility, as defined in ORS 419A.004:

(a) The home address and home telephone number of the public safety officer or county juvenile department employee contained in the voter registration records for the officer or employee.

(b) The home address and home telephone number of the public safety officer or county juvenile department employee contained in records of the Department of Public Safety Standards and Training.

(c) The name of the public safety officer or county juvenile department employee contained in county real property assessment or taxation records. This exemption:

(A) Applies only to the name of the officer or employee and any other owner of the property in connection with a specific property identified by the officer or employee in a request for exemption from disclosure;

(B) Applies only to records that may be made immediately available to the public upon request in person, by telephone or using the Internet;

(C) Applies until the officer or employee requests termination of the exemption;

(D) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for
governmental purposes; and

(E) May not result in liability for the county if the name of the officer or employee is disclosed after a request for exemption from disclosure is made under this subsection.

(32) Unless the public records request is made by a financial institution, as defined in ORS 706.008, consumer finance company licensed under ORS chapter 725, mortgage banker or mortgage broker licensed under ORS 86A.095 to 86A.198, or title company for business purposes, records described in paragraph (a) of this subsection, if the exemption from disclosure of the records is sought by an individual described in paragraph (b) of this subsection using the procedure described in paragraph (c) of this subsection:

(a) The home address, home or cellular telephone number or personal electronic mail address contained in the records of any public body that has received the request that is set forth in:

(A) A warranty deed, deed of trust, mortgage, lien, deed of reconveyance, release, satisfaction, substitution of trustee, easement, dog license, marriage license or military discharge record that is in the possession of the county clerk; or

(B) Any public record of a public body other than the county clerk.

(b) The individual claiming the exemption from disclosure must be a district attorney, a deputy district attorney, the Attorney General or an assistant attorney general, the United States Attorney for the District of Oregon or an assistant United States attorney for the District of Oregon, a city attorney who engages in the prosecution of criminal matters or a deputy city attorney who engages in the prosecution of criminal matters.

(c) The individual claiming the exemption from disclosure must do so by filing the claim in writing with the public body for which the exemption from disclosure is being claimed on a form prescribed by the public body. Unless the claim is filed with the county clerk, the claim form shall list the public records in the possession of the public body to which the exemption applies. The exemption applies until the individual claiming the exemption requests termination of the exemption or ceases to qualify for the exemption.

(33) The following voluntary conservation agreements and reports:

(a) Land management plans required for voluntary stewardship agreements entered into under ORS 541.973; and

(b) Written agreements relating to the conservation of greater sage grouse entered into voluntarily by owners or occupiers of land with a soil and water conservation district under ORS 568.550.

(34) Sensitive business records or financial or commercial information of the State Accident Insurance Fund Corporation that is not customarily provided to business competitors. This exemption does not:

(a) Apply to the formulas for determining dividends to be paid to employers insured by the State Accident Insurance Fund Corporation;

(b) Apply to contracts for advertising, public relations or lobbying services or to documents related to the formation of such contracts;

(c) Apply to group insurance contracts or to documents relating to the formation of such contracts, except that employer account records shall remain exempt from disclosure as provided in ORS 192.355 (35); or

(d) Provide the basis for opposing the discovery of documents in litigation pursuant to the applicable rules of civil procedure.

(35) Records of the Department of Public Safety Standards and Training relating to investigations conducted under ORS 181A.640 or 181A.870 (6), until the department issues the report de-
scribed in ORS 181A.640 or 181A.870.

(36) A medical examiner's report, autopsy report or laboratory test report ordered by a medical examiner under ORS 146.117.

(37) Any document or other information related to an audit of a public body, as defined in ORS 174.109, that is in the custody of an auditor or audit organization operating under nationally recognized government auditing standards, until the auditor or audit organization issues a final audit report in accordance with those standards or the audit is abandoned. This exemption does not prohibit disclosure of a draft audit report that is provided to the audited entity for the entity's response to the audit findings.

(38)(a) Personally identifiable information collected as part of an electronic fare collection system of a mass transit system.

(b) The exemption from disclosure in paragraph (a) of this subsection does not apply to public records that have attributes of anonymity that are sufficient, or that are aggregated into groupings that are broad enough, to ensure that persons cannot be identified by disclosure of the public records.

(c) As used in this subsection:

(A) “Electronic fare collection system” means the software and hardware used for, associated with or relating to the collection of transit fares for a mass transit system, including but not limited to computers, radio communication systems, personal mobile devices, wearable technology, fare instruments, information technology, data storage or collection equipment, or other equipment or improvements.

(B) “Mass transit system” has the meaning given that term in ORS 267.010.

(C) “Personally identifiable information” means all information relating to a person that acquires or uses a transit pass or other fare payment medium in connection with an electronic fare collection system, including but not limited to:

(i) Customer account information, date of birth, telephone number, physical address, electronic mail address, credit or debit card information, bank account information, Social Security or taxpayer identification number or other identification number, transit pass or fare payment medium balances or history, or similar personal information; or

(ii) Travel dates, travel times, frequency of use, travel locations, service types or vehicle use, or similar travel information.

(39)(a) If requested by a civil code enforcement officer:

(A) The home address and home telephone number of the civil code enforcement officer contained in the voter registration records for the officer.

(B) The name of the civil code enforcement officer contained in county real property assessment or taxation records. This exemption:

(i) Applies only to the name of the civil code enforcement officer and any other owner of the property in connection with a specific property identified by the officer in a request for exemption from disclosure;

(ii) Applies only to records that may be made immediately available to the public upon request in person, by telephone or using the Internet;

(iii) Applies until the civil code enforcement officer requests termination of the exemption;

(iv) Does not apply to disclosure of records among public bodies as defined in ORS 174.109 for governmental purposes; and

(v) May not result in liability for the county if the name of the civil code enforcement officer
is disclosed after a request for exemption from disclosure is made under this subsection.

(b) As used in this subsection, “civil code enforcement officer” means an employee of a public body, as defined in ORS 174.109, who is charged with enforcing laws or ordinances relating to land use, zoning, use of rights-of-way, solid waste, hazardous waste, sewage treatment and disposal or the state building code.

(40) Audio or video recordings, whether digital or analog, resulting from a law enforcement officer’s operation of a video camera worn upon the officer’s person that records the officer’s interactions with members of the public while the officer is on duty. When a recording described in this subsection is subject to disclosure, the following apply:

(a) Recordings that have been sealed in a court’s record of a court proceeding or otherwise ordered by a court not to be disclosed may not be disclosed.

(b) A request for disclosure under this subsection must identify the approximate date and time of an incident for which the recordings are requested and be reasonably tailored to include only that material for which a public interest requires disclosure.

(c) A video recording disclosed under this subsection must, prior to disclosure, be edited in a manner as to render the faces of all persons within the recording unidentifiable.

(41) The contents of tips reported to a tip line, as defined in ORS 339.329. However, personally identifiable information, as defined in ORS 339.329, is not subject to public interest balancing under this section and remains exempt from disclosure except as provided in ORS 339.329.

(42) Residential addresses of individuals with intellectual or developmental disabilities residing in adult foster homes as defined in ORS 443.705 or residential training facilities or residential training homes as those terms are defined in ORS 443.400.

(43) Signatures submitted on a signature sheet for an initiative, nominating, political party formation, referendum or recall petition.

SECTION 17. ORS 260.555 is amended to read:

260.555. (1) No person attempting to obtain signatures on, or causing to be circulated, an initiative, nominating, political party formation, referendum or recall petition, shall knowingly make any false statement regarding the contents, meaning or effect of the petition to any person who signs it, attempts to sign it, is requested to sign it or requests information concerning it.

(2) No person shall attempt to obtain signatures to, cause to be circulated or file with a filing officer, an initiative, nominating, political party formation, referendum or recall petition, knowing it to contain a false signature.

(3) No person shall attempt to obtain the signature of a person to an initiative, nominating, political party formation, referendum or recall petition knowing that the person signing the petition is not qualified to sign it.

(4) No person shall knowingly sign an initiative, nominating, political party formation, referendum or recall petition more than once, knowingly sign such petition when not qualified to sign it, or sign such petition in any name other than the person’s own.

(5) No public official or employee shall knowingly make a false certification concerning an initiative, nominating, political party formation, referendum or recall petition.

SECTION 18. ORS 260.561 is amended to read:

260.561. (1)(a) If a chief petitioner of a statewide initiative, nominating, political party formation or referendum petition has knowledge of a violation of any provision of Oregon Revised Statutes, of any rule adopted by the Secretary of State under ORS chapters 246 to 260 related to the circulation of a statewide initiative, nominating, political party formation or referendum petition
or section 1b, Article IV of the Oregon Constitution, committed by a person obtaining signatures on the chief petitioner's petition or prospective petition, the violation by the person obtaining signatures is conclusively considered a violation by the chief petitioner.

(b) If a chief petitioner of a statewide initiative, nominating, political party formation or referendum petition has knowledge or should have had knowledge of a violation of ORS 250.048, 260.262, 260.555, 260.558, 260.567, 260.575, 260.665, 260.715 (1) or section 1b, Article IV of the Oregon Constitution, or any rule adopted by the Secretary of State related to section 1b, Article IV of the Oregon Constitution, petition sheets or circulator training, registration or certification, committed by a person obtaining signatures on the chief petitioner's petition or prospective petition or a contractor or subcontractor, as defined in ORS 260.563, the violation by the person obtaining signatures or the contractor or subcontractor is conclusively considered a violation by the chief petitioner.

(2) A chief petitioner is not liable under subsection (1) of this section if the chief petitioner notifies the Secretary of State in writing not later than one business day after the chief petitioner obtains knowledge of a potential violation. The notice shall state:

(a) That a potential violation has occurred;

(b) The nature of the potential violation; and

(c) All specific information known to the chief petitioner regarding the potential violation.

(3) If a statewide initiative, nominating, political party formation or referendum petition has more than one chief petitioner, each chief petitioner who has knowledge or should have had knowledge may be held liable under subsection (1) of this section.

(a) Subsection (1)(a) of this section does not apply to a violation of law that is subject to criminal penalty.

(b) A chief petitioner may not be held criminally liable under subsection (1)(b) of this section solely based on a violation committed by a person obtaining signatures on the chief petitioner's petition or prospective petition or by a contractor or subcontractor.

SECTION 19. ORS 260.563 is amended to read:

260.563. (1) As used in this section:

(a) “Contractor” means a person who contracts on predetermined terms with a chief petitioner, or a person acting on behalf of a chief petitioner, of an initiative, nominating, political party formation or referendum petition or a prospective petition for a state measure to be initiated for the purpose of obtaining signatures on the petition or prospective petition.

(b) “Subcontractor” means a person who contracts on predetermined terms with a contractor for the purpose of obtaining signatures on an initiative, nominating, political party formation or referendum petition or a prospective petition for a state measure to be initiated and who has no direct contractual relationship with a chief petitioner or other person acting on behalf of a chief petitioner.

(2) If a contractor has knowledge or should have had knowledge of a violation of ORS 250.048, 260.555, 260.558, 260.567, 260.575, 260.665 or 260.715 (1) or section 1b, Article IV of the Oregon Constitution, or any rule adopted by the Secretary of State related to section 1b, Article IV of the Oregon Constitution, petition sheets or circulator training, registration or certification, by a subcontractor, the violation by the subcontractor is conclusively considered a violation by the contractor.

(3) A contractor is not liable under subsection (2) of this section if the contractor notifies the Secretary of State in writing not later than one business day after the contractor obtains knowledge of a potential violation. The notice shall state:
(a) That a potential violation has occurred;
(b) The nature of the potential violation; and
(c) All specific information known to the contractor regarding the potential violation.
(4) A contractor may not be held criminally liable under this section solely based on a violation committed by a subcontractor.

SECTION 20. ORS 250.052 is amended to read:

250.052. (1)(a) For each state initiative, referendum or recall petition, the Secretary of State shall prepare official templates of the cover and signature sheets for the petition. Except as provided in this section, templates of cover and signature sheets for state initiative and referendum petitions are subject to the requirements of ORS 250.045. The templates of signature sheets to be used by persons who are being paid to obtain signatures on the petition shall be a different color from the sheets to be used by persons who are not being paid to obtain signatures on the petition.
(b) For each prospective petition for a state measure to be initiated the secretary shall prepare official templates of the cover and signature sheets. The templates of signature sheets to be used by persons who are being paid to obtain signatures on the prospective petition shall be a different color from the sheets to be used by persons who are not being paid to obtain signatures on the prospective petition. Each signature sheet for the prospective petition shall:
(A) Contain a notice describing the meaning of the color of the signature sheet; and
(B) If one or more persons will be paid for obtaining signatures of electors on the prospective petition, contain a notice stating: “Some Circulators For This Prospective Petition Are Being Paid.” The notice shall be in boldfaced type and shall be prominently displayed on the sheet.
(2) A person obtaining signatures on a state initiative, referendum or recall petition or a prospective petition for a state measure to be initiated may use only the cover and signature sheets contained in the official templates prepared for the petition or prospective petition. A person who is being paid to obtain signatures on the petition or prospective petition shall use the signature sheet template designated for use by persons being paid to obtain signatures. A person who is not being paid to obtain signatures on the petition or prospective petition shall use the signature sheet template designated for use by persons who are not being paid to obtain signatures.
(3)(a) The secretary shall issue templates for a petition or prospective petition only to a chief petitioner of the petition or prospective petition or to an agent designated by a chief petitioner.
(b) If the ballot title for a state initiative petition has been challenged under ORS 250.085, the secretary may not issue an official template for the initiative petition until the Supreme Court has certified a final ballot title.
(4) The secretary shall issue official templates to a chief petitioner or designated agent not later than:
(a) Three business days after the deadline for filing a petition under ORS 250.085 relating to a ballot title certified by the Attorney General for the state initiative petition or, if a petition is filed with the Supreme Court under ORS 250.085, three business days after the Supreme Court certifies to the secretary a final ballot title for the state initiative petition;
(b) Three business days after a prospective petition is filed under ORS 249.865 or 250.045 for a state recall petition or state referendum petition; or
(c) Three business days after the chief petitioner files a statement with the secretary under ORS 250.045 (2) for a prospective petition for a state measure to be initiated.
(5) The secretary by rule shall establish a process by which a chief petitioner of a state initiative, referendum or recall petition or a prospective petition for a state measure to be initiated may
request a modification of the templates issued under subsection (4) of this section.

(6)(a) In addition to the templates prepared under subsections (1) to (5) of this section, for each state initiative, referendum or recall petition or prospective petition, the secretary shall prepare an official electronic template of a signature sheet for the petition or prospective petition.

(b)(A) A template prepared under this subsection shall provide:

(i) Signify Support for the state initiative, referendum or recall petition or prospective petition;

(ii) [Space for the signature of the same elector to]

(B) The Secretary of State or county clerk may tally only electronic signature sheets that are signed [in both spaces described in this paragraph].

(c)(A) An elector may print a copy of the electronic signature sheet for a petition or prospective petition, sign the sheet and deliver the signed sheet to a chief petitioner or an agent designated by a chief petitioner.

(B) Only an elector who either has personally printed a copy of the electronic signature sheet of a petition or prospective petition or has requested that a separate person print a copy of the electronic signature sheet specifically for the elector may sign the sheet. A copy of an electronic signature sheet may not be signed by an elector who did not either print the sheet or request that the sheet be printed specifically for the elector.

(d) Electronic templates described in this subsection are subject to the requirements of ORS 250.045, other than ORS 250.045 (9) and (10), and the template must include a full and correct copy of the measure to be initiated or referred.

(e) Except as provided in paragraph (c)(B) of this subsection, a person who is obtaining signatures on a petition or prospective petition, whether paid or unpaid, may not provide a printed electronic signature sheet to an elector.

(7) The secretary shall adopt rules prescribing the contents and method of production of official templates required under this section.

SECTION 21. Section 22 of this 2023 Act is added to and made a part of ORS chapter 246.

SECTION 22. Notwithstanding any other statute in ORS chapters 246 to 260, the Secretary of State may by rule alter the specific language required to be placed on a document relating to an election, provided that the alteration in language does not materially change the meaning of the language being altered.

SECTION 23. ORS 254.505 is amended to read:

254.505. (1) Only official ballots may be counted. Any vote from which it is impossible to determine the elector's choice for the office or measure may not be counted. An elector may not place on the ballot a sticker bearing the name of a person [or use any other method or device, except writing or using a voting machine,] to vote for a person whose name is not printed on the ballot. Any ballot that has a sticker or other device is void and may not be counted. Counting board clerks shall disregard misspelling or abbreviations of the names of candidates if it can be ascertained from the ballot for whom the vote was intended.

(2) When ballots are counted by counting boards, the board chairperson, using ink, immediately shall initial the back of the wholly or partially void ballot and write on it “Not counted for _________” (stating the office or measure). The counting board shall seal the wholly void ballots in an envelope.
SECTION 24. ORS 260.043 is amended to read:

260.043. (1) A candidate who serves as the candidate’s own treasurer and who expects neither the aggregate contributions to be received nor the aggregate expenditures to be made by or on behalf of the candidate to exceed $750 in total amount during a calendar year is not required to:

(a) File a statement of organization under ORS 260.039;
(b) Establish a single exclusive campaign account under ORS 260.054; or
(c) File statements under ORS 260.057.

(2) A candidate described in subsection (1) of this section must keep contribution and expenditure records for the previous 24 months.

(3)(a) If at any time during the calendar year either the aggregate contributions or aggregate expenditures exceed $750, the candidate must file a statement of organization under ORS 260.039, establish a single exclusive campaign account as required under ORS 260.054 and file statements as required in paragraph (b) of this subsection.

(b)(A) Except as provided in subparagraph (B) of this paragraph, if at any time during the calendar year either the aggregate contributions or aggregate expenditures exceed $750, the candidate must file a statement under ORS 260.057 showing all contributions received and expenditures made. After aggregate contributions or aggregate expenditures exceed $750 during a calendar year, the statement shall be filed under the time frames established in ORS 260.057 (3).

(B) If the candidate expects neither the aggregate contributions to be received nor the aggregate expenditures to be made by or on behalf of the candidate to exceed $3,500 during the calendar year, the candidate may file a statement to that effect under ORS 260.112, rather than file statements under ORS 260.057. Notwithstanding ORS 260.112 (2), the statement shall be filed not later than seven calendar days after aggregate contributions or aggregate expenditures exceed $750 during a calendar year.

(4) For purposes of this section, a fee paid under ORS 251.095, costs relating to initiative, nominating, political party formation, referendum or recall petitions and costs relating to filing in a county voters’ pamphlet are exempt and may not be considered when calculating:

(a) The expected aggregate amount of contributions received or expenditures made; or
(b) The actual aggregate amount of contributions received or expenditures made.

(5) This section does not apply to candidates for federal office.

SECTION 25. ORS 260.007 is amended to read:

260.007. As used in this chapter, “contribute,” “contribution,” “expend” or “expenditure” does not include:

(1) Any written news story, commentary or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other regularly published publication, unless a political committee owns the facility.

(2) An individual’s use of the individual’s own personal residence, including a community room associated with the individual’s residence, to conduct a reception for a candidate or political committee and the individual’s cost of invitations, food and beverages provided at the reception.

(3) A vendor’s sale of food and beverages for use in a candidate’s or political committee’s campaign at a charge less than the normal comparable charge, if the charge is at least equal to the cost of the food or beverages to the vendor.

(4) Any unreimbursed payment for travel expenses an individual, including a candidate, makes on behalf of a candidate or political committee.

(5) Any loan of money made by a financial institution as defined in ORS 706.008, other than any
overdraft made with respect to a checking or savings account, if the loan bears the usual and cus-
tomary interest rate for the category of loan involved, is made on a basis that ensures repayment,
is evidenced by a written instrument and is subject to a due date or amortization schedule. How-
ever, each indorser or guarantor of the loan shall be considered to have contributed that portion
of the total amount of the loan for which that person agreed to be liable in a written agreement,
except if the indorser or guarantor is the candidate’s spouse.

(6) Nonpartisan activity designed to encourage individuals to vote or to register to vote, in-
cluding but not limited to activity that is allowed for a not-for-profit corporation that is tax exempt
under section 501(c)(3) of the Internal Revenue Code.

(7) Any communication a membership organization or corporation makes to its members, share-
holders or employees if the membership organization or corporation is not organized primarily for
the purpose of influencing an election.

(8) The payment of compensation for legal and accounting services rendered to a candidate or
political committee if the person paying for the services is the regular employer of the individual
rendering the services and the services are solely for the purpose of ensuring compliance with the
provisions of this chapter.

(9) The payment by a state or local committee of a political party of the costs of preparation,
display or mailing or other distribution incurred by the committee with respect to a printed slate
card or sample ballot, or other printed listing, of three or more candidates for any public office for
which an election is held in this state. This subsection does not apply to costs incurred by the
committee with respect to a display of any such listing made on broadcasting stations or in news-
papers, magazines or similar types of general public political advertising.

(10) A candidate debate or forum for a state office, or a communication publicizing a candidate
debate or forum for a state office, when [all major political party] candidates for the state office
[have been] are invited to participate in the candidate debate or forum based on neutral criteria
that are publicized in advance of the invitation.

(11) The following nonpartisan communications that refer to a candidate or political party
within 30 calendar days before a primary election or 60 calendar days before a general election:

(a) The publication of a nonpartisan voters’ guide that:

(A) Is permitted to be published by a not-for-profit corporation that is tax exempt under section
501(c)(3) of the Internal Revenue Code; or

(B) With respect to each state office referenced in the voters’ guide:

(i) Includes information from all major political party candidates for the state office referenced;
or

(ii) Offers all major political party candidates for the state office referenced a reasonable op-
portunity to be included in the voters’ guide.

(b) A commercial communication that depicts a candidate’s name, image, likeness or voice only
in the candidate’s capacity as owner, operator or employee of a business that existed prior to the
candidate’s declaration of candidacy.

(c) Official publications produced or distributed by public employees while on the job during
working hours.

(d) A communication by a labor union, membership organization or corporation to its members,
stockholders or executive or administrative personnel.

(e) Any other nonpartisan communication identified by the Secretary of State by rule.

SECTION 26. ORS 260.345, as amended by section 4, chapter 84, Oregon Laws 2022, is amended
to read:

260.345. (1) Any elector may file with any filing officer a written complaint alleging that a violation of an election law or rule adopted by the Secretary of State under ORS chapters 246 to 260 has occurred and stating the reason for believing that the violation occurred and any evidence relating to it. A complaint and any evidence relating to it may be filed electronically. A complaint alleging a violation involving the Secretary of State, a candidate for the office of Secretary of State, or any political committee or person supporting the Secretary of State or a candidate for the office of Secretary of State may be filed with the Attorney General. The Secretary of State or Attorney General shall not accept an anonymous complaint.

(2) The Secretary of State by rule shall prescribe the procedure for processing a complaint filed with any person other than the Secretary of State. If the complaint concerns the Secretary of State, any candidate for the office of the Secretary of State, or any political committee or person supporting the candidacy of the Secretary of State or of another person for the office of Secretary of State, the complaint and any additional information relating to the complaint shall be sent to the Attorney General.

(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 of determining that an investigation is necessary to determine whether a violation of an election law or rule has occurred, the Secretary of State or Attorney General shall notify the person who is the subject of the complaint that an investigation will occur. If the Secretary of State or Attorney General receives a complaint or complaints involving 10 or more individuals, political committees or petition committees in any 48-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 of receiving the complaints but shall notify those persons not later than 10 business days after receiving the complaint or complaints.

(4) If the Secretary of State believes after an investigation under subsection (3) of this section that a violation of an election law or rule has occurred, the secretary:

(a) In the case of a violation that is subject to a penalty under ORS 260.993, immediately shall report the findings to the Attorney General and request prosecution. If the violation involves the Attorney General, a candidate for that office or a political committee or person supporting or opposing the Attorney General or a candidate for that office, the Secretary of State shall appoint another prosecutor for that purpose;

(b) In the case of a violation not subject to a penalty under ORS 260.537 or 260.993, may impose a civil penalty under ORS 260.995; or

(c) In the case of a violation under ORS 260.537, may institute civil proceedings in the manner described in ORS 260.537.

(5) Upon receipt of a complaint or report under subsection (1), (2) or (4) of this section involving an alleged violation subject to a penalty under ORS 260.993 or an alleged violation of ORS 260.537, the Attorney General or other prosecutor immediately shall examine the complaint or report to determine whether a violation of an election law has occurred. If the Attorney General or prosecutor determines that a violation has occurred, the Attorney General or prosecutor immediately shall begin prosecution or civil proceedings in the name of the state. The Attorney General or other

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prosecutor shall have the same powers in any county of this state as the district attorney for the county.

(6) Upon receipt of a complaint under subsection (1) or (2) of this section involving an alleged violation of an election law or rule not subject to a penalty under ORS 260.537 or 260.993, the Attorney General shall examine the complaint to determine whether a violation of an election law or rule has occurred and shall make any investigation the Attorney General considers necessary. If the Attorney General believes after an investigation that a violation of an election law or rule has occurred, the Attorney General may impose a civil penalty under ORS 260.995.

(7) In the case of an alleged violation subject to a civil penalty under ORS 260.995 or an alleged violation of ORS 260.537, a complaint shall be filed by an elector under this section no later than 90 days following the election at which a violation of an election law or rule is alleged to have occurred, or 90 days following the date the violation of an election law or rule is alleged to have occurred, whichever is later.

(8) A filing officer having reason to believe that a violation of an election law or rule has occurred shall proceed promptly as though the officer had received a complaint. Except as provided in ORS 260.234, a filing officer shall proceed under this subsection no later than two years following the election at which a violation of an election law or rule is alleged to have occurred, or two years following the date the violation of an election law or rule is alleged to have occurred, whichever is later. If a filing officer has not proceeded within two years because of fraud, deceit, misleading representation or the filing officer could not have reasonably discovered the alleged violation, the filing officer shall proceed no later than five years following the election at which a violation of an election law or rule is alleged to have occurred, or five years following the date the violation of an election law or rule is alleged to have occurred, whichever is later.

SECTION 27. ORS 260.315 is amended to read:

ORS 260.315. (1) The Secretary of State, at the expense of the state, shall furnish to the other filing officers copies of this chapter.

(2) A filing officer shall deliver a copy of this chapter to each candidate or person whom the officer has reason to believe is required to file a statement with the officer under ORS 260.057, 260.076, 260.083, 260.112 or 260.118.

SECTION 28. This 2023 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect on its passage.