

SB 210 STAFF MEASURE SUMMARY

Senate Committee On Rules

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Meeting Dates: 3/31

WHAT THE MEASURE DOES:

The measure establishes in-person voting on the date of an election as the standard method of voting during an election. It sets an operative date of January 1, 2028. It refers the Act to the people for their approval or rejection at the next general election.

Detailed Summary

In-person voting

- It establishes in-person voting on the date of an election as the standard method of voting during an election.
- It requires electors to present valid government-issued photo identification when voting in person
- It removes language concerning the number of voting booth required in each county, based on population, and gives the Secretary of State, in consultation with county clerks, rulemaking authority to determine the minimum number of booths required.
- It requires voting booth designations to be open on the date of the election for at least eight hours, and requires them to be open until 8:00 pm.
- It allows electors who are waiting in line to vote at 8:00 pm to be considered starting the voting process.

Vote-by-mail

- It allows an elector to request a ballot by mail, no later than 21 days before the election, if the elector is unable to vote in person on the date of the election.
- It retains vote-by-mail as the primary method of voting during an election for military and overseas ' who have a mailing address outside of Oregon.
- It requires electors to present valid government-issued photo identification when requesting a ballot to be returned by mail.
- It requires all ballots returned by mail to be received by the county clerk by 8:00 pm on the date of an election.
- It repeals statutes related to alternatives to secrecy envelopes for ballots returned by mail.
- It repeals the requirement for the state to pay the postage for ballots returned by mail.
- It repeals statutes related to voting-by-mail being the primary voting method during an election.

Government-issued photo identification

- It requires electors to present valid government-issued photo identification when voting in person and when requesting a ballot to be returned by mail.
- It defines "valid government-issued identification" as an Oregon driver license, driver permit, state identification card, U.S. passport, or U.S. military identification card.

Other

- It establishes a process for electors to vote who are not affiliated with a major political party.
- It gives rulemaking authority to the Secretary of State
- It sets an operative date of January 1, 2028, and allows the Secretary of State and county clerks to take action prior to that date.
- It refers the Act to the people for their approval or rejection at the next general election.

Fiscal impact: The measure may have a fiscal impact, but a statement has not yet been issued.

This summary has not been adopted or officially endorsed by action of the committee.

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Revenue impact: The measure may have a revenue impact, but a statement has not yet been issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Vote-by-Mail

Vote-by-mail, an election method whereby voters receive and return their ballots through the mail, was first approved on a limited basis in 1981, when the Legislative Assembly authorized counties to conduct certain elections by mail. Vote-by-mail was made permanent for certain elections in 1987, and its use was expanded in 1993 to allow it for statewide elections other than a primary or general election.

In 1998, Oregon voters approved Ballot Measure 60, requiring vote-by-mail in all biennial primary and general elections, making Oregon the first state to go to a completely vote-by-mail system. In 2000, Oregon was the first state in U.S. history to determine its electoral votes for president entirely by mail.

In 2019, the Legislative Assembly passed, and the Governor signed, Senate Bill 861, which required the state to pay postage on ballot return envelopes for each election held on or after January 1, 2020.

In 2021, the Legislative Assembly passed, and the Governor signed, House Bill 3291, which allowed ballots returned by mail to have a postal indicator showing that the ballot was mailed not later than the date of the elections, and received by the county clerk not later than seven calendar days after the election date. It also required ballots returned by means other than mail to be received by 8:00 pm on election day.

Also in 2021, the Legislative Assembly passed, and the Governor signed, Senate Bill 27, which provided that secrecy envelopes were not required for ballots returned by mail if the Secretary of State has approved a different procedure to ensure secrecy.

Ballot referrals

A ballot referral is a resolution by a governing body to place a question on the ballot for its electors to decide. Referrals may be prepared by a state, county, city, or district governing body. At the state level, the referral process gives voters the opportunity to decide on constitutional or statutory changes proposed by the Legislative Assembly. Both houses of the legislature must vote to refer the measure, and the referral cannot be vetoed by the Governor. Any change to the Oregon Constitution passed by the Legislative Assembly requires a referral to voters.

The next statewide general election will be in November 2026.