


2015 Synopsis of Oregon Election Laws

Compiled by

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Enacted by

2015 Legislative Assembly



Secretary of State

Elections Division Rev. 08/2015

Summary Table of Election Related Bills Enacted

Bill Order

House Bills

Bill No.	ORS	Page
HB 2177	Creating new provisions; amending ORS 246.410, 247.002, 247.012, 247.016, 247.017, 247.171, 247.292, 247.302; repealing ORS 802.085	3, 4, 5, 6, 16
HB 2178	Creating new provisions	10
HB 2208	Amending ORS 192.501, 192.502, 312.030, and 802.250	14, 16
HB 2635	Creating new provisions; amending ORS 280.075	16
HB 2855	Amending ORS 254.548	8
HB 2957	Creating new provisions; amending ORS 203.085, 221.230, and 255.185	9, 15, 16
HB 2974	Creating new provisions (in ORS 188.010 to 188.295)	10
HB 3030	Creating new provisions; amending ORS 174.116, 198.010, 198.115, 198.210, 198.310, 198.335 198.510, and 255.012	9, 10, 11, 12, 14, 15
HB 3037	Creating new provisions; amending ORS 192.502	12, 15
HB 3085	Creating new provision	12
HB 3086	Creating new provisions	13

Senate Bills

Bill No.	ORS	Page
SB 28	Amending ORS 253.080, 253.690, 254.431, 254.470, and 255.069	7, 8, 9

Note: There were no changes made to ORS chapters 249, 250, 251, 258 and 260 in the 2015 Legislative Session.



Unless otherwise noted, all legislative bills first take effect **January 1, 2016**.

ORS Chapter 246

Administration of Election Laws

ORS	Bill No.	Section	Action	Synopsis
246.410	HB 2177	7	Amend	Changes maximum precinct size from 5,000 voters to 10,000 voters. Effective March 16, 2015.

ORS Chapter 247

Qualification and Registration of Electors

ORS	Bill No.	Section	Action	Synopsis
247.002	HB 2177	2	Amend	<p>Adds to the definition of "registration card" an electronic record containing an individual's legal name, age, residence, citizenship information and electronic signature submitted to the Department of Transportation as described in ORS 247.017.</p> <p>Effective March 16, 2015.</p>
247.012	HB 2177	3	Amend	<p>Allows a qualified person to register to vote by submitting the person's legal name, age, residence, electronic signature and citizenship information to the Department of Transportation.</p> <p>Requires that Secretary of State and the Department of Transportation implement this section no later than January 1, 2016.</p>
247.016	HB 2177	8	Amend	<p>Provides that if a 17 year old who registers will be under 18 years of age on the date of the next election, the person's voter registration information may not be disclosed as a public record.</p> <p>Effective March 16, 2015.</p>
247.017	HB 2177	1	Amend	<p>Requires Secretary of State to establish by rule a schedule for the Department of Transportation to provide the Secretary with electronic records containing name, age, residence, electronic signature and citizenship information for individuals who meet qualifications established by Secretary.</p> <p>Requires Secretary or county clerk to notify each person of the process to decline voter registration or adopt a political party.</p> <p>Provides that if a person does not decline voter registration within 21 days, the person's electronic record will constitute a completed registration card and the person will be registered to vote if the county clerk determines the person is qualified and not already registered.</p> <p>Provides that the county clerk may not send a ballot to, or add to registration list, a person who meets the eligibility requirements until at least 21 days after the person was provided notification of their ability to decline registration.</p> <p>Applies to electronic records and electronic signatures in the possession of the Department of Transportation on or after March 16, 2015.</p> <p>Requires that Secretary of State and the Department of Transportation implement this section no later than January 1, 2016.</p>

247.171	HB 2177	4	Amend	Removes requirement that Secretary of State approve any voter registration application form developed for use by the Department of Transportation under ORS 247.017. Effective March 16, 2015.
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247.292	HB 2177	5	Amend	Removes requirement that county clerk update registration of elector only upon receiving written evidence from certain sources (allows evidence to not be "written"). Requires county clerk to update registration of an elector upon receiving evidence from the Secretary of State as provided in ORS 247.017. Effective March 16, 2015.
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247.302	HB 2177	6	Amend	Removes the word "written" to describe evidence of a change of address for determining effective date of an update. Effective March 16, 2015.

ORS Chapter 248

Political Parties; Presidential Electors

ORS	Bill No.	Section	Action	Synopsis
248.008	HB 2177	9		<p>Provides that for the purpose of maintaining status as a minor political party under ORS 248.008(4)(b) for the general election to be held on November 8, 2016, the total number of registered electors is deemed to be the number identified in the registration records of the Secretary of State on July 1, 2015.</p> <p>Effective March 16, 2015.¹</p>

¹ Note- this provision mistakenly references ORS 248.008(4)(b). The correct reference is ORS 248.008(4)(a). The Secretary will attempt to get this scrivener's error corrected during the 2016 Legislative Session.

ORS Chapter 253

Absent Electors

ORS	Bill No.	Section	Action	Synopsis
253.080	SB 28	1	Amend	Clarifies that county clerk will compare signature on ballot envelope of absent elector with signature on voter registration record (previously stated "card"). Removes requirement that county clerk mark ballot envelope of absent elector to indicate that the ballot may be counted.
253.690	SB 28	2	Amend	Clarifies that county clerk will compare signature on return identification envelope transmitted by facsimile machine or electronic mail with signature on voter registration record (previously stated registration "card").

ORS Chapter 254

Conduct of Elections

ORS	Bill No.	Section	Action	Synopsis
254.431	SB 28	5	Amend	<p>Clarifies that the filing officer (previously stated "county clerk") may not release as a public record information that could be used to identify an elector whose ballot has been challenged until the 8th calendar day after an election.</p> <p>Provides that the filing officer (previously "county clerk"), after the seventh day after the election, may disclose certain information about electors whose ballots were challenged.</p> <p>Defines filing officer to be:</p> <ul style="list-style-type: none"> - The Secretary of State, for federal or statewide elections or elections for state Senator or Representative; or - The county clerk, for county, city or district elections.
254.470	SB 28	3	Amend	<p>Clarifies that county clerk will compare signature on ballot return envelope with signature on voter registration record (previously stated "card").</p>
254.548	HB 2855	1	Amend	<p>Allows filing officer to deliver write-in acceptance form by electronic mail, if the filing officer has the electronic mail address of the person nominated or elected by write-in, in addition to delivering the form by regular mail.</p> <p>Effective April 22, 2015.</p>

ORS Chapter 255

Special District Elections

ORS	Bill No.	Section	Action	Synopsis
255.012	HB 3030	14	Amend	Adds a sand control district to the definition of "district" in chapter 255. Effective June 25, 2015.
255.069	SB 28	4	Amend	Removes requirement that form for updating information on members of district boards sent by filing officer to district elections authority be sent by certified mail.
255.185	HB 2957	3	Amend	Requires that district elections for initiatives or referenda be held on the third Tuesday in May, the first Tuesday after the first Monday in November or the date of the next scheduled regular district election. Applies to measures for which a petition has been certified to contain the required number of verified signatures on or after April 22, 2015.

Unnumbered New Statutes

ORS	Bill No.	Section	Action	Synopsis
New	HB 2178	1	New	<p>Creates Task Force on Campaign Finance Reform, consisting of 17 members selected from various groups.</p> <p>Directs Task Force to conduct an analysis to determine the best methods to address campaign finance reform.</p> <p>Designates Secretary of State as chairperson of the Task Force.</p> <p>Requires Task Force to submit a report to the interim committees of the Legislative Assembly no later than December 31, 2015.</p> <p>Effective July 20, 2015.</p>
New	HB 2974	1 and 2	New	<p>Will be added to and made part of ORS 188.010 to 188.295.</p> <p>During redistricting, Legislature must hold at least 10 public hearings at locations throughout the state prior to proposing a reapportionment plan. At least one must be held in each congressional district. Individuals should be able to access hearings remotely through the use of video equipment.</p> <p>The Legislature or Secretary of State must also hold five public hearings:</p> <ul style="list-style-type: none"> - after a reapportionment plan is proposed, but before it is adopted; - In five different congressional districts or with the use of videoconferencing that permit citizen participation throughout the state; - Provide proper public notice of the time and place of hearings; - Provide access to hearings remotely through the use of video equipment. <p>At least one of the 10 hearings in subsection 1 and at least one of the five hearings in subsection 2 must be in areas that have experienced the largest shifts in population since the previous reapportionment, and more should be prioritized.</p>
New	HB 3030	1	New	<p>Sets forth that contiguous territory not within the corporate boundaries of a city may be formed into, or included in, a sand control district.</p> <p>Allows sand control district to make contracts, acquire and dispose of real and personal property, sue and be sued, exercise the power of eminent domain, raise revenue by levying, assessing and collecting taxes on taxable real property within the district, and plan actions to comply with the requirements of county ordinance.</p> <p>Effective June 25, 2015.</p>

ORS	Bill No.	Section	Action	Synopsis
New	HB 3030	2	New	<p>Designates that sand control district will have a district board consisting of three members.</p> <p>Requires board members to take oath of office.</p> <p>Requires district board to hold at least one regular meeting each month, and any additional meetings the board proscribes.</p> <p>Effective June 25, 2015.</p>
New	HB 3030	3	New	<p>Designates that if sand control district has 100 or more electors residing in the district, electors are qualified to serve as board members. Otherwise, individuals who are electors and own taxable real property in the district are qualified to serve on the board.</p> <p>Within 10 days after the creation of the district or the election of the first board, whichever is later, the board shall meet and organize and determine by lot the length of term of each board member.</p> <p>Designates that the term of one of the members designated by lot will expire June 30 next following the first regular district election. The term of two other members determined by lot will expire June 30 following the second regular district election.</p> <p>Effective June 25, 2015.</p>
New	HB 3030	4	New	<p>Requires sand control district to deposit moneys of the district in a depository, as defined in ORS 295.001.</p> <p>Allows moneys to be withdrawn or paid out pursuant to an order of the board upon a check signed by the treasurer or by a person authorized to serve as custodian of district funds by resolution of the board.</p> <p>Requires district board to keep receipts or vouchers that show nature and items covered by each check drawn.</p> <p>Requires district board to enter all proceedings of the board in a record book, and to preserve and make available for public records inspection.</p> <p>Effective June 25, 2015.</p>

New	HB 3030	5	New	<p>Authorizes sand control district, upon approval of the electors of the district, to issue general obligation bonds to finance purposes and duties of district.</p> <p>The district may not issue bonds in a principal amount that exceeds five percent of the real market value of the taxable property in the district, if the district has a population of under 100 individuals. If the district has a population of over 100 individuals, the bonds may not exceed 10 percent of the real market value of taxable property in the district.</p> <p>Requires that any bond issued mature within 30 years from the date of issuance.</p> <p>Effective June 25, 2015.</p>
New	HB 3030	6	New	<p>Provides that ORS chapter 255 governs the nomination and election of sand control district board members and the conduct of sand control district elections.</p> <p>Allows the electors of the district to exercise the initiative and referendum powers for a district measure as provided in ORS 255.135 to 255.205.</p> <p>Effective June 25, 2015.</p>
New	HB 3037	3	New	<p>To be added to and made part of ORS 192.410 to 192.505.</p> <p>Prohibits a public body that is the custodian of records containing the residential address and telephone number, personal electronic mail address, personal cellular telephone numbers, social security numbers, employer issued identification card numbers, and emergency contact information for home care workers as defined in ORS 410.600, operators of child care facilities as defined in ORS 329A.250, exempt family child care provider as defined in ORS 329A.430 or an operator of an adult foster home as defined in ORS 443.705 from disclosing the above information in response to a request to inspect public records.</p> <p>Exempts Judicial Department and Department of Transportation from above prohibition.</p> <p>Effective April 9, 2015.</p>
New	HB 3037	4	New	<p>To be added to and made part of ORS 192.410 to 192.505.</p> <p>Requires public body that is the custodian or otherwise in possession of information submitted to the public body in confidence, if the public body is not otherwise required to disclose, must redact residential address, telephone number, personal electronic mail address, personal cellular telephone numbers and emergency contact information for any disclosure described in ORS 192.502(4).</p> <p>Effective April 9, 2015.</p>
New	HB 3085	1 & 2	New	<p>Refers disincorporation election for the City of Damascus to the 2016 Primary and designates procedure if disincorporation is adopted.</p>

New	HB 3086	1	New	<p>Requires City of Damascus, within 60 days of the operative date of the bill, to post notices in two public locations and on the city website stating that the city is required to satisfy all debts and that persons believing themselves to be creditors of the city should present claims to the city as soon as possible to ensure payment.</p> <p>Addresses the transfer of moneys from the City of Damascus to Clackamas County and taxpayers.</p> <p>Effective July 1, 2015.</p>
New	HB 3086	2	New	<p>States that Section 1 of HB 3086 does not become operative until the earlier of the date on which the referral of a disincorporation election in HB 3085 is approved by a majority of voters or an appellate court of this state issues a final decision that is not subject to further appeal holding that the question of the disincorporation of Damascus voted on at the November 5, 2013 election was effectively approved.</p> <p>Effective July 1, 2015.</p>
New	HB 3086	3	New	<p>If an appellate court of this state issues a final decision holding that the disincorporation of Damascus voted on in November, 2013 was approved before the date of the next Primary election, the Secretary of State may not submit HB 3085 (referral of disincorporation election) to the people of the City of Damascus for their approval or rejection at the next primary election and if HB 3085 (referral of disincorporation election) is submitted for approval or rejection at the primary, ballots on the question of disincorporation may not be counted.</p> <p>Effective July 1, 2015.</p>

Statutes outside Election Law

ORS	Bill No.	Section	Action	Synopsis
174.116	HB 3030	13	Amend	Adds sand control district to the definition of district in that section. Effective June 25, 2015.
192.501	HB 2208	1	Amend	Creates an exemption from public records disclosure for a civil code enforcement officer who requests an exemption. Exempts, upon request of the code enforcement officer, the home address and home telephone number found in the person's voter registration records. Creates exemption for certain records pertaining to a code enforcement officers related to county real property assessment or taxation records. Defines civil code enforcement officer as an employee of a public body 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. Effective June 10, 2015.
192.501	HB 2208	2	Amend	Creates an exemption from public records disclosure for a civil code enforcement officer who requests an exemption. Exempts, upon request of the code enforcement officer, the home address and home telephone number found in the person's voter registration records. Creates exemption for certain records pertaining to a code enforcement officers related to county real property assessment or taxation records. Defines civil code enforcement officer as an employee of a public body 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. Effective June 10, 2015.
192.502	HB 2208	5	Amend	Creates exemption from public disclosure of Department of Public Safety Standards and Training records including residential address, residential telephone number, personal cellular phone number, personal electronic mail address, driver license number, emergency contact information, Social Security number, date of birth for individuals currently or previously certified or licensed by the Department of Public Safety Standards and Training. Effective June 10, 2015.

192.502	HB 3037	1	Amend	<p>Adds to the exemption from public disclosure for public body employees, so that it includes residential address, residential phone numbers, personal cellular phone numbers, personal electronic mail addresses, driver license numbers, employer issued identification card numbers and emergency contact information.</p> <p>Removes exception to exemption from public disclosure for public employees or volunteers to the extent that the party seeking disclosure shows by clear and convincing evidence that the public interest requires disclosure in a particular instance.</p> <p>Effective April 9, 2015.</p>
198.010	HB 3030	7	Amend	<p>Adds sand control district to the definition of "district" in ORS chapter 198.</p> <p>Effective June 25, 2015.</p>
198.115	HB 3030	8	Amend	<p>Adds sand control district to the type of districts that may, by ordinance or resolution at least one year before the date of the regular district election, designate that an employee of the district is not eligible to serve on the board of the district.</p> <p>Effective June 25, 2015.</p>
198.210	HB 3030	9	Amend	<p>Adds sand control district to the definition of district in that section.</p> <p>Effective June 25, 2015.</p>
198.310	HB 3030	10	Amend	<p>Adds sand control district to the definition of district in that section.</p> <p>Effective June 25, 2015.</p>
198.335	HB 3030	11	Amend	<p>Adds sand control district to the definition of special district in that section.</p> <p>Effective June 25, 2015.</p>
198.510	HB 3030	12	Amend	<p>Adds sand control district to the definition of district in that section.</p> <p>Effective June 25, 2015.</p>
203.085	HB 2957	1	Amend	<p>Requires election on county measure referred by county governing body to be held on the regularly scheduled March, May, September or November election.</p> <p>Requires election on county measures other than referrals to be held on the third Tuesday in May or the first Tuesday after the first Monday in November.</p> <p>Applies to measures for which a petition has been certified to contain the required number of verified signatures on or after April 22, 2015.</p>

221.230	HB 2957	2	Amend	<p>Requires election on city measure referred by city governing body to be held on the regularly scheduled March, May, September or November election.</p> <p>Requires election on city measures other than referrals to be held on the third Tuesday in May or the first Tuesday after the first Monday in November.</p> <p>Applies to measures for which a petition has been certified to contain the required number of verified signatures on or after April 22, 2015.</p>
280.085	HB 2635	1	Amend	<p>Allows local option tax measure ballot title to include statement that measure tax cost estimate "may reflect the impact of early payment discounts, compression and the collection rate."</p> <p>Applies to ballot measure titles filed on or after October 5, 2015.</p>
312.030	HB 2208	3	Amend	<p>Requires name of civil code enforcement officer who has received an exemption under ORS 192.501 to be redacted from list of properties subject to foreclosure and replaced with "the name of the owner is suppressed by law."</p> <p>Effective June 10, 2015.</p>
802.085	HB 2177	11	Repeal	<p>Repeals ORS 802.085.</p> <p>Effective March 16, 2015.</p>
802.250	HB 2208	4	Amend	<p>Allows civil code enforcement officer to use address of public agency in which they are employed in lieu of residence address in driver or motor vehicle records maintained by Department of Transportation.</p> <p>Effective June 10, 2015.</p>

Legislative Referrals

November 8, 2016, General Election

Measure No.	Bill
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To be assigned	SJR 4- Proposes amendment to Oregon Constitution to remove provisions fixing age for mandatory retirement of judges and provisions allowing Legislative Assembly or people to fix age for mandatory retirement of judges.
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