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**TEMPORARY ADMINISTRATIVE ORDER**  
INCLUDING STATEMENT OF NEED & JUSTIFICATION

**ELECT 28-2022**

CHAPTER 165  
SECRETARY OF STATE  
ELECTIONS DIVISION

**FILED**

08/31/2022 2:09 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Implements HB3021 requiring the professional translation of voters' pamphlets.

EFFECTIVE DATE: 09/01/2022 THROUGH 02/27/2023

AGENCY APPROVED DATE: 08/25/2022

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Filed By:  
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Rules Coordinator

NEED FOR THE RULE(S):

This temporary rule is needed to ensure the Secretary of State selects translators who possess a level of qualification and relevant experience appropriate to translating state and county voters' pamphlet materials into multiple languages for the 2022 General Election prior to the 2022 General Election.

JUSTIFICATION OF TEMPORARY FILING:

The Secretary of State finds that the failure to act promptly will result in serious prejudice to the public interest of the more than 200,000 Oregon individuals who have limited English proficiency and speak one of the most commonly spoken languages in Oregon other than English. Absent this temporary rule, the state's limited English proficient individuals would not be able to receive voter information in a culturally appropriate way and fully exercise their voting rights in time for the 2022 General Election.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

HB3021 (2021) available online at [oregonlegislature.gov](http://oregonlegislature.gov) or from the Secretary of State Elections Division.

ADOPT: 165-024-0020

RULE TITLE: Professional Translations of Selected State and County Voters' Pamphlet Materials

RULE SUMMARY: HB 3021 (2021) created provisions codified in ORS Chapter 251 requiring the Secretary of State to adopt rules necessary for implementing the professional translation of county and state voters' pamphlet materials for all primary, general, and special elections beginning with the 2022 General Election. This rule implements a clear process the Secretary of State will use to perform high quality translations.

RULE TEXT:

- (1) Required translations of Selected State and County Voters' Pamphlet Materials shall be performed according to the highest degree of professional accuracy.
- (2) Professional translators selected to translate Selected State and County Voters' Pamphlet Materials should possess a level of translation qualification, language competency, cultural competency, standard of general education, and

relevant experience appropriate to translating voters' pamphlet material in the particular language.

(3) The Secretary shall consider the following criteria when selecting translators:

(a) For languages for which American Translator Association-certified translation tests are available, the Secretary shall seek certified translators.

(b) For languages that the American Translator Association does not certify, the Secretary shall seek translators who meet the following criteria, in descending order of importance:

(A) verifiable translation competency,

(B) interpreting competency,

(C) language proficiency via a recognized testing entity of language skills,

(D) paid translation experience,

(E) active membership in a professional language organization,

(F) academic higher education degree from an institution of higher education,

(G) diploma of completion in secondary education,

(H) diploma of completion in primary education.

STATUTORY/OTHER AUTHORITY: HB3021, ORS 247.005, ORS 246.150, ORS 251.026, ORS 251.167, ORS 251.170, ORS 251.173, ORS 251.315

STATUTES/OTHER IMPLEMENTED: ORS 251.170