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PERMANENT ADMINISTRATIVE ORDER

ELECT 26-2024

CHAPTER 165
SECRETARY OF STATE
ELECTIONS DIVISION

FILED

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ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Defines requirements for Transmission of Original Documents to Authorized Officials of the United States.

EFFECTIVE DATE: 12/21/2024

AGENCY APPROVED DATE: 12/16/2024

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ADOPT: 165-025-0130

REPEAL: Temporary 165-025-0130 from ELECT 15-2024

NOTICE FILED DATE: 10/18/2024

RULE SUMMARY: Enacts HB 4019 (2024). Defines requirements for Transmission of Original Documents to Authorized Officials of the United States. Aligns Oregon with the Electoral Count Reform and Presidential Transition Improvement Act of 2022.

CHANGES TO RULE:

165-025-0130

Transmission of Original Documents to Authorized Officials of the United States

(1) The Secretary of State's duties after the convening of presidential electors shall include but shall not be limited to, the following:¶

(a) transmitting original documents related to the convening of electors to officials of the United States as required by law and communicating with those officials to ensure the documents are received promptly and securely;¶

(b) maintaining in a secure manner at least two additional sets of the original documents transmitted to officials of the United States; ¶

(c) communicating as necessary with officials of the United States regarding authenticity of the original documents transmitted to them; and¶

(d) undertaking any other actions that the Secretary of State deems necessary and proper to ensure that officials of the United States promptly receive and can properly authenticate the original documents related to the convening of electors in the manner required by law.¶

(2) The Secretary of State may transmit one or more of the sets of original documents described in OAR 165-025-0120 to an official of the United States if the Secretary of State has already transmitted the documents described in section (3)(g) to that official and those documents are missing, damaged, or cannot be authenticated. ¶

(3) The Secretary of State must retain at least one of the sets of original documents described in section (3)(g) in the custody of the state of Oregon.

Statutory/Other Authority: ORS 246.150, Electoral Count Reform and Presidential Transition Improvement Act, HB 4019 (2024), ORS 248.370

Statutes/Other Implemented: HB 4019 (2024), ORS 248.370