



NOTICE OF PROPOSED RULEMAKING INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 165
SECRETARY OF STATE
ELECTIONS DIVISION

FILED

09/26/2025 10:27 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Candidate and Public Office Holder Residence Address Exemption

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 10/31/2025 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

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Filed By:
Coline Benson
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 10/23/2025

TIME: 10:30 AM - 11:00 AM

OFFICER: Coline Benson

REMOTE HEARING DETAILS

MEETING URL: [Click here to join the meeting](#)

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 2424565336016

SPECIAL INSTRUCTIONS:

Passcode: jv6er6yC

NEED FOR THE RULE(S)

The rule is necessary to implement the provisions of ORS 249.021 and HB 3073 (2023), which authorize candidates and public office holders to request confidentiality of their residence address. Without this rule, there would be no clear and consistent process for filing officers and the Secretary of State to review, apply, and administer such exemptions.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

House Bill 3073 (2023) available online from the Oregon State legislature at <https://olis.oregonlegislature.gov> or the Elections Division.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

This rule promotes racial equity. The terms of this rule promote racial equity by protecting against implicit bias and ensuring that the same guidelines and procedures apply consistently to all candidates.

FISCAL AND ECONOMIC IMPACT:

The proposed rule may create an economic impact on the state Elections Division and on county and city elections officials. Implementation will require elections officials to process exemption requests using the process outlined in this rule. The fiscal and economic impact of this rule to affected parties is expected to be minimal.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

The proposed rule may create an economic impact on the state Elections Division and on county and city elections officials. The Elections Division anticipates needing to answer questions and assist local elections officials with understanding and complying with the requirements of the rule. County and city elections officials may also experience an economic impact in complying with the law and rule, particularly if they do not already have a mechanism or process to manage address exemptions.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

This rule does not regulate the activities of small businesses.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

A Rules Advisory Committee was not required to be convened

ADOPT: 165-010-0012

RULE SUMMARY: This rule implements House Bill 3073 (2023) by establishing procedures for candidates and public office holders to request exemption of their residence address from publicly accessible election documents, including nominating petitions, declarations of candidacy, certificates of nomination, and elector lists. The rule outlines filing officer responsibilities, exemption request processes, confidentiality safeguards, and conditions for expiration.

CHANGES TO RULE:

165-010-0012

Candidate and Public Office Holder Residence Address Exemption

(1) The purpose of this rule is to implement House Bill 3073 (2023) by establishing procedures for candidates and public office holders to request exemption of their residence address from publicly accessible versions of the nominating petition, declaration of candidacy, and elector lists. This rule also defines the responsibilities of elections filing officers in processing exemption requests, including reviewing submitted SEL 180 forms, verifying alternative mailing addresses, ensuring the completeness and accuracy of alternative mailing addresses, marking voter registration records as confidential, and providing timely notice to the Secretary of State.

(2) Definitions

(a) "Candidate," "Public Office Holder," and "Filing Officer" have the meanings given in ORS 260.005.

(b) "Local Filing Officer" means:

(A) For a candidate for county office: the County Clerk;

(B) For a candidate for a city office: the City Clerk, Auditor, or Recorder;

(C) For a candidate for a special district office: the County Clerk of the county where the district's administrative office is located;

(D) For a candidate for a Soil and Water Conservation District (SWCD) office: the Oregon Department of Agriculture (ODA).

(c) "List of electors" means a list prepared and delivered under ORS 247.940 or 247.945.

(d) "Publicly accessible document" means any nominating petition, declaration of candidacy, certificate of nomination, or elector list that may be viewed, copied, or distributed without a public records request.

(3) Candidate Exemption¶

(a) Each nominating petition, declaration of candidacy, and certificate of nomination must include an option allowing the candidate to check a box requesting that the candidate's residence address not be disclosed on:¶

(A) Publicly accessible versions of the nominating petition or declaration of candidacy; and¶

(B) Lists of electors delivered under ORS 247.940 or 247.945.¶

(b) A candidate selecting this option must submit Form SEL 180 Residence Address Exemption Request, with an alternative mailing address for use in election records and elector lists.¶

(4) Public Office Holder Exemption¶

(a) A public office holder must submit Form SEL 180 Residence Address Exemption Request to exempt their residence address from publicly accessible versions of nominating petitions, declarations of candidacy, and elector lists.¶

(b) The exemption remains in effect until the filing officer determines that the individual no longer holds office, or the office holder submits a written request to terminate the exemption.¶

(c) Until expiration, the residence address may be inspected only upon submission of a written public records request under ORS 192.311 to 192.478.¶

(5) Duration of Exemption¶

(a) Once granted, an exemption prevents disclosure of the residence address on publicly accessible versions of the nominating petitions, declarations of candidacy, and elector lists.¶

(b) The exemption remains in effect until it expires under the conditions set out in section (6)(e).¶

(c) Until expiration, the residence address may be inspected only upon written public records request under ORS 192.311 to 192.478.¶

(6) Exemption Review Process¶

(a) Exemption Submitted by Email:¶

(A) Only one county may be selected on Form SEL 180.¶

(B) If the individual (candidate or office holder) does not live in the selected county, redact the residence address and forward the request to the county of registration.¶

(C) If the individual lives in the selected county but that county is not the local filing officer for the district, mark the voter registration record as confidential, then forward the request to the county where the district's administrative office is located.¶

(D) Confirm that an alternative mailing address is provided.¶

(E) Ensure the mailing address is different from the residence address.¶

(F) If missing, contact the individual immediately. The exemption cannot be applied until an alternative address is provided.¶

(b) Exemption Submitted in Person:¶

(A) Confirm that an alternative mailing address is provided.¶

(B) Ensure the mailing address is different from the residence address.¶

(C) If missing, ask the individual to amend the form. The exemption cannot be applied until an alternative address is provided.¶

(D) Print and provide an Acknowledgement Receipt attached to this rule.¶

(E) Scan and forward the completed SEL 180 to the Secretary of State.¶

(c) Redaction and Record Security:¶

(A) Remove the residence address from:¶

(i) Publicly accessible copies of nominating petitions and declarations of candidacy; and¶

(ii) Electors' voter registration records.¶

(B) Retain the residence address in the confidential record, accessible only by authorized staff.¶

(d) Confidential Voter Record:¶

(A) Open the voter's record in Oregon Centralized Voter Registration System (OCVR).¶

(B) Add disclosable mailing address.¶

(C) Select the Confidential box.¶

(D) In the Custom tab, choose "SEL 180" from the Confidential Voter/Candidate dropdown.¶

(E) In the Comments tab, note: "Record Flagged Confidential under SEL 180".¶

(F) Save the voter's record.¶

(e) Expiration of Exemption. An exemption expires when:¶

(A) A candidate is no longer seeking office and was not elected;¶

(B) A candidate was elected but no longer holds office;¶

(C) A public office holder no longer holds office; or¶

(D) The candidate or public office holder submits a written request to terminate the exemption.¶

(f) Notice to Secretary of State: When an exemption expires under section (5) or when the conditions listed in section (6)(e) are met, the local filing officer must notify the Secretary of State.¶

(7) Exceptions: This rule does not apply to candidates for, or holders of, the office of precinct committee person.[¶]
(8) Notice to Candidate or Office Holder: Filing officers must notify a candidate or office holder when an exemption request has been received and when it is set to expire under section (5) or when the conditions listed in section (6)(e) are met.

Statutory/Other Authority: ORS 246.150, 249.021

Statutes/Other Implemented: 249.021, 247.948, 247.945, 249.031, 249.720, 255.235, HB 3073 (2023)

RULE ATTACHMENTS MAY NOT SHOW CHANGES. PLEASE CONTACT AGENCY REGARDING CHANGES.



Dena Dawson
Elections Director

ACKNOWLEDGEMENT RECEIPT

The Secretary of State, Elections Division, has received your Residence Address Exemption Request (Form SEL 180).

If your request is complete, your residence address will be redacted from:

- Publicly accessible versions of your nominating petition or declaration of candidacy (if applicable); and
- Lists of electors provided under ORS 247.940 or 247.945.

Your exemption remains in effect until it expires under OAR 165-010-0012, sections (5) and (6)(e). Specifically, the exemption will end if:

- You are no longer seeking election and were not elected;
- You were elected but no longer hold office;
- You no longer hold your current office (if you are a public office holder); or
- You submit a written request to terminate the exemption.

If your request is incomplete (for example, if no alternative mailing address is provided, or if the mailing address matches your residence address), our office will contact you to amend and resubmit Form SEL 180. No exemption can be applied until a complete request is submitted.

Your residence address is confidential and may be disclosed only in response to a written public records request under ORS 192.311 to 192.478. It will remain confidential until your exemption expires, or until our office receives your written request to remove the exemption.

Your county elections official will update your voter registration record to display your mailing address only. Your ballot will be sent to your publicly disclosable mailing address for each election.

Please note: you will not be able to access your current voter registration record through Oregon's MyVote website. You may still register online as a new voter or update your registration using a paper voter registration form (SEL 500).

If you need to update your residence address in the future, you must also submit a new Form SEL 180 to continue the exemption. If you update your voter registration record without submitting a new Form SEL 180, the Elections Division or County Clerk may treat that update as a written request to remove your residence address exemption.

Please keep this notice for your records. If you have questions, contact the Secretary of State, Elections Division at 503-986-1518 or by email to elections.sos@sos.oregon.gov.