

OFFICE OF THE SECRETARY OF STATE

TOBIAS READ

SECRETARY OF STATE

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ARCHIVES DIVISION

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NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 165

SECRETARY OF STATE
ELECTIONS DIVISION

FILED

01/16/2026 10:44 AM

ARCHIVES DIVISION

SECRETARY OF STATE

FILING CAPTION: Defines terms to implement OAR 165-024-0010 and OAR 165-024-0020

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 02/25/2026 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: 02/17/2026

TIME: 11:00 AM - 11:30 AM

OFFICER: Coline Benson

REMOTE HEARING DETAILS

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

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 22662450109650

SPECIAL INSTRUCTIONS:

Passcode: od7xG9m6

NEED FOR THE RULE(S)

An amendment to this rule is necessary because SB1533 (2024) introduced new formulas for the languages of voters' pamphlet translations and SB1014 (2025) allowed political parties to file translated statements under ORS 251.170(3). The current rule references a fixed number of languages, which no longer aligns with the updated statutory formula in ORS 251.167.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

SB1533 (2024) and SB1014 (2025), available online from the Oregon Legislature at oregonlegislature.gov or from the Elections Division.

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

This rule promotes racial equity. SB1533 (2024) includes requirements for the Secretary of State to ensure that each state voters' pamphlet and each county voters' pamphlet be translated from English into the most common languages of

the state and of each county. SB1014 (2025) allows political parties to submit translations for the state voters' pamphlet. Translation of voters' pamphlets promotes racial equity by providing citizens in Oregon who have a limited ability to read, speak, write, or understand English with meaningful access to voter information and to fully exercise their voting rights.

FISCAL AND ECONOMIC IMPACT:

The fiscal and economic impact of the proposed amendments to this rule 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).

- 1) There may be a minimal economic impact for the Secretary of State Elections Division to answer questions regarding compliance with this rule, or for other unanticipated reasons.
- 2) This rule does not regulate small businesses and is not expected to create any economic impact or cost of compliance for them.

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

Small businesses were not involved in the development of this rule because this rule does not regulate small businesses.

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

A rules advisory committee was not involved in the development of this rule because the fiscal and economic impact and cost of compliance is expected to be minimal.

AMEND: 165-024-0005

RULE SUMMARY: This administrative rule provides definitions which apply for purposes of implementing OAR 165-024-0010 and OAR 165-024-0020. The proposed changes to this rule include revising the definitions for lists of languages for the translation of voters' pamphlets to align with amendments to ORS 251.167, adding the definition for political parties to align with amendments to ORS 251.170(3), and improving overall grammatical clarity.

CHANGES TO RULE:

165-024-0005

Translations Definitions

- (1) The following definitions apply for purposes of OAR 165-024-0005 to 10 and OAR 165-024-00320.¶
- (2) Candidate Filer means a candidate or a candidate's agent.¶
- (3) Candidate's agent means a person who has actual oral or written authority, either express or implied, to make or authorize the filing of translated statements on behalf of the candidate.¶
- (4) Community Validation means obtaining recommendations from a range of culturally and linguistically diverse communities to ensure that translated materials meet the information needs of the intended audience in a culturally and linguistically responsive way.¶
- (5) Council means the Translation Advisory Council.¶
- (6) The County List of Languages means the languages of translation for each county's voters' pamphlet, determined to be the sum of the following:¶
 - (a) The Top Five Languages in the state of Oregon; and¶
 - (b) All of the Top Five Ten Languages in the county that are the primary language for at least 4300 people with Limited English Proficiency in the county; and¶
 - (c) Any language that previously appeared on the Top Five Ten Languages list for the county, if the language

remains the primary language for at least 1300 people in the county who have Limited English Proficiency; and ¶
(d) if none of the Top FiveTen Languages in the county is the primary language for at least 1300 people with Limited English Proficiency in the county, then the Most Commonly Spoken Language in the county.¶

(7)-County Voters' Pamphlet means a written document mailed at the direction of a county elections official to county residents for the purpose of providing any of the information described in OAR 165-024-0025.¶

(8) Culturally responsive means identifying, nurturing, and using community customs, norms, and values, usually through direct experience in a culture, and appropriately expressing and reflecting those to meet the intended audience's needs.¶

(9) Language(s) means languages other than English.¶

(10) Limited English Proficiency means that a person does not speak English as their primary language and has a limited ability to read, speak, write, or understand English.¶

(11) Local Ballot Measure Information means the local government ballot title, explanatory statements and statements created by state, local and special government bodies.¶

(12) The Most Commonly Spoken Language(s) in a state or county means the primary language(s) for the most people in the state or county who have Limited English Proficiency.¶

(13) Plain Language means written communication that the intended audience can understand the first time they read it.¶

(14) Political Party means a political party that has qualified as a major political party under ORS 248.006 or a minor political party that has qualified as a minor political party under ORS 248.008.¶

(145) Selected Voters' Pamphlet Material means the portions of the state and county voters' pamphlets that this rule requires the Secretary of State to have translated and post online.¶

(156) State List of Languages means the languages of translation for the State Voters' Pamphlet, determined to be the sum of the following:¶

(a) The Top Five Languages in the state of Oregon; and ¶

(b) The Top FiveTen Languages in any county in Oregon, and ¶

(c) Any language that previously appeared in a Top FiveTen Languages list for any county in Oregon, and ¶

(d) if none of the Top FiveTen Languages in a county is the primary language for at least 1300 people with Limited English Proficiency in the county, then the Most Commonly Spoken Language in that county.¶

(167) Top Five Languages means the five Most Commonly Spoken Languages in the state or county, as appropriate.¶

(18) Top Ten Languages means the ten Most Commonly Spoken Languages of a county.¶

(179) Translate or translation means transferring written text accurately from one language into another to convey and retain the original meaning in an equivalent and culturally and linguistically responsive manner for the community being served.¶

(a)-Translations of written statements are distinct from interpretation of spoken statements.¶

(b)-The community to be served by a translation of voters' pamphlet material is the community of people in Oregon who have Limited English Proficiency and who speak the language as their primary language.

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 251.026, ORS 251.167, ORS 251.170, ORS 251.173, ORS 251.315, SB 1533 (2024), SB 1014 (2025)~~