

OFFICE OF THE SECRETARY OF STATE

TOBIAS READ

SECRETARY OF STATE

MICHAEL KAPLAN

DEPUTY SECRETARY OF STATE



ARCHIVES DIVISION

STEPHANIE CLARK

DIRECTOR

800 SUMMER STREET NE

SALEM, OR 97310

503-373-0701

NOTICE OF PROPOSED RULEMAKING

INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 165

SECRETARY OF STATE
ELECTIONS DIVISION

FILED

01/16/2026 2:40 PM

ARCHIVES DIVISION

SECRETARY OF STATE

FILING CAPTION: Defines the data sources used to compile lists of languages for translating voters' pamphlets.

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.

CONTACT: Coline Benson

503-986-1518

elections.sos@sos.oregon.gov

255 Capitol St NE

Ste 126

Salem, OR 97310

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: 10:00 AM - 10:30 AM

OFFICER: Coline Benson

REMOTE HEARING DETAILS

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

PHONE NUMBER: 503-446-4951

CONFERENCE ID: 2183377107350

SPECIAL INSTRUCTIONS:

Passcode: N8Cx6KF7

NEED FOR THE RULE(S)

An amendment to this rule is necessary because SB1533 (2024) revised the formulas used to determine which languages state and county voters' pamphlets must be translated into. The current rule references a fixed number of languages, which no longer aligns with the updated statutory formula in ORS 251.167. As amended, this rule will specify data sources the Secretary of State uses to compile lists of the most commonly spoken languages other than English and the estimated numbers of individuals who speak each most commonly spoken language other than English as required by ORS 251.167. Amending the rule ensures compliance with the updated statutes, eliminates the need for future amendments if the formula changes again, incorporates grammatical improvements, includes statutory references, and re-organizes the rule for clarity.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

SB1533 (2024), 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 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. 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.
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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: 165-024-0015

RULE SUMMARY: This administrative rule outlines the data sources the Secretary of State uses to compile lists of the most commonly spoken languages other than English and the estimated numbers of individuals who speak each language. The Secretary of State uses this to translate the state voters' pamphlet and county voters' pamphlets under ORS 251.026, ORS 251.167, and ORS 251.170. The proposed amendments include the addition of statutory references and also re-organizes for clarity.

CHANGES TO RULE:

165-024-0015

Language Lists for Translation of Selected State and County Voters' Pamphlet Materials

(1)-This rule despecifies the process by which data sources the Secretary of State creates lists of languages to be used to translate Selected Suses to compile lists of the most commonly spoken languages other than English and the estimated numbers of individuals who speak each most commonly spoken language other than English as required by ORS 251.167. Certain state and County Vvoters' Ppamphlet Materials. information will be translated into the languages in the lists as required by ORS 251.170.¶

(2)(a) The Secretary of State shall uses data about state and county populations to determine the Top Five languages in the state and in each county in Oregon. most commonly spoken languages. The most commonly spoken languages are determined based on the number of people with limited English proficiency who self-evaluate their ability to speak English as less than very well.¶

(ab) The data sources may used include the most recent American Community Survey (ACS) from the United States Census Bureau, estimates from the Population Resource Center at Portland State University, and other data sources that the Secretary of State determines are available and appropriate.¶

(b) The data sets obtained from the American Community Survey shall include estimated numbers of people with Limited English Proficiency who self-evaluate their ability to speak English as "less than very well." ¶
(3) Based on In addition to the list of languages described in section (1) of this data rule, the Secretary of State shall compile the following language lists and make them available on the Secretary of State's website: ¶
(a) a list of the state's Top Five languages and estimated numbers of speakers; ¶
(b) lists of each county's Top Five languages and estimated number of speakers in each county; ¶
(c) the State List of Languages; and ¶
(d) the County Lists of Languages. ¶

(4) The Secretary of State shall update the language lists at least and publish on the Secretary of State's website the list of languages certain filers may submit filings in for inclusion in translated voters' pamphlets at once every five years outlined in ORS 251.170.

Statutory/Other Authority: HB3021, ORS 247.005, ORS 246.150, ORS 251.026, ORS 251.167, ORS 251.170, ORS 251.173, ORS 251.315ORS 246.150, ORS 251.167

Statutes/Other Implemented: ORS 251.167, SB1533 (2024)