



STATUTORY MINOR CORRECTION

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CHAPTER 165
SECRETARY OF STATE
ELECTIONS DIVISION

FILING CAPTION: Candidate and Public Office Holder Residence Address Exemption

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AGENCY ATTESTS THE FOLLOWING CHANGES HAVE BEEN MADE, ACCORDING TO ORS 183.335(7):

Correcting statutory or rule references

AMEND: 165-010-0012

RULE TITLE: Candidate and Public Office Holder Residence Address Exemption

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. This rule also defines the responsibilities of elections filing officers in processing exemption requests.

This statutory minor correction edits the references in the rule attachment. The rule text is unchanged. The attachment's third paragraph now cites ORS 249.021 for improved clarity.

RULE TEXT:

(1) This rule establishes uniform procedures for candidates and public office holders to request exemption of their residence address from publicly accessible versions of a nominating petition, declaration of candidacy, certificates of nomination, and lists of electors pursuant to ORS 249.021. This rule also defines the responsibilities of elections filing officers in processing exemption requests.

(2) Definitions:

(a) "Appropriate filing officer" means:

(A) For a candidate for state office, the Secretary of State, Elections Division;

(B) For a candidate for county office, the County Clerk;

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

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

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

(b) "Candidate" means an individual whose name is printed or expected to be printed on a ballot, for whom a declaration of candidacy, nominating petition or certificate of nomination to public office has been filed or whose name is expected to be or has been presented, with the individual's consent, for nomination or election to public office.

- (c) "Filing officer" means the Secretary of State, Elections Division, pursuant to ORS 260.005.
- (d) "List of electors" means a list prepared and delivered under ORS 247.940 or ORS 247.945.
- (e) "Public office holder" means a person elected to public office and currently serving in that office.
- (f) "Publicly accessible document" means any nominating petition, declaration of candidacy, certificate of nomination, or list of electors that may be viewed, copied, or publicly posted, or otherwise distributed proactively without having first received a public records request.
- (3) A candidate or public office holder wishing to exempt their residence address from publicly accessible documents pursuant to ORS 249.021 must submit form SEL 180 Residence Address Exemption Request, and provide:
 - (a) an alternative mailing address for use in election records and lists of electors;
 - (b) the county in which they are registered to vote.
- (4) Upon receipt of form SEL 180:
 - (a) The Secretary of State, as the filing officer pursuant to ORS 249.021(5), must:
 - (A) Confirm that an alternative mailing address that is different than the residence address is provided. If an alternative mailing address is not provided, the Elections Division will contact the candidate or public office holder to inform them that the form is insufficient, and the exemption cannot be applied until a sufficient SEL 180 form is received.
 - (B) Forward the sufficient and completed SEL 180 form to the county clerk and the appropriate filing officer, unless the appropriate filing officer is the Secretary of State, in which case the form shall only be forwarded to the county clerk.
 - (b) The appropriate filing officer, pursuant to ORS 249.021(1)(b) and (2)(b), must:
 - (A) Redact the candidate or public office holder's residence address from publicly accessible documents.
 - (B) Remove redactions on publicly accessible documents upon receiving a written request from the candidate or public office holder, or when the exemption expires pursuant to the provisions of ORS 249.021.
 - (C) Notify the Secretary of State and the county clerk of the county in which the candidate or public office holder is registered to vote when an exemption expires, unless the appropriate filing officer is one and the same, in which case no separate notice is required.
 - (D) Make reasonable efforts to notify the candidate or public office holder of the expiration when an exemption expires pursuant to the provisions of ORS 249.021.
 - (c) The county clerk, pursuant to ORS 249.021(1)(b) and (2)(b), must apply and maintain the following changes to the candidate or public office holder's voter registration record:
 - (A) Add the alternative mailing address to the voter registration record.
 - (B) Mark the voter registration record confidential.
 - (C) Enter the following notation in the record: "Record Flagged Confidential under SEL 180".
 - (D) Remove confidential indicators from the voter registration record upon receiving a written request from the candidate or public office holder, or upon receiving written notice that the exemption has expired under ORS 249.021.
 - (5) If the SEL 180 form is received by paper, the receiving filing officer must:
 - (a) Confirm that an alternative mailing address that is different than the residence address is provided. If an alternative mailing address is not provided, contact the candidate or public office holder to inform them that the form is insufficient and the exemption cannot be applied until a sufficient SEL 180 form is received.
 - (b) Scan and email an unredacted copy of the completed SEL 180 to the Secretary of State, Elections Division and county clerk for the county in which the candidate or public office holder is registered to vote based on the information provided on the form.
 - (c) Provide an Acknowledgement Receipt. The language to be included in the Acknowledgement Receipt is included in this rule as an attachment.
 - (d) Redact the candidate or public office holder's residence address from publicly accessible documents.

STATUTORY/OTHER AUTHORITY: ORS 246.150, ORS 249.021

STATUTES/OTHER IMPLEMENTED: ORS 249.021, ORS 247.948, ORS 247.945, ORS 249.031, ORS 249.720, ORS 255.235



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 pursuant to the provisions of ORS 249.021. 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 Elections Official 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.