

House Bill 2431

Sponsored by Representative YUNKER, Senator SMITH DB; Representatives BOICE, WRIGHT, Senator NASH (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Repeals the transfer of certain data from the OHA to the SOS. Declares an emergency and becomes law when the Governor signs it. (Flesch Readability Score: 66.4).

Repeals the transfer of certain electronic records from the Oregon Health Authority to the Secretary of State for purposes of voter registration.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to electronic records from the Oregon Health Authority for voter registration; amending
3 ORS 247.002, 247.012, 247.014, 247.019, 247.171 and 247.292; repealing ORS 247.018 and section
4 9, chapter 492, Oregon Laws 2023; and declaring an emergency.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1. ORS 247.018 and section 9, chapter 492, Oregon Laws 2023, are repealed.**

7 **SECTION 2.** ORS 247.002, as amended by section 3, chapter 492, Oregon Laws 2023, is amended
8 to read:

9 247.002. As used in this chapter:

10 (1) "County clerk" means the county clerk or the county official in charge of elections.

11 (2) "Elector" means an individual qualified to vote under Article II, section 2, Oregon Consti-
12 tution.

13 (3) "Registration card" means:

14 (a) A state voter registration card approved by the Secretary of State under ORS 247.171;

15 (b) A federal voter registration application form prescribed by the Federal Election Commission
16 pursuant to the National Voter Registration Act of 1993 (P.L. 103-31); **or**

17 (c) An electronic record containing an individual's legal name, age, residence and citizenship
18 information and electronic signature submitted to the Department of Transportation in the manner
19 described in ORS 247.017[; *or*]

20 [*(d) An electronic record containing an individual's legal name, age, residence and citizenship in-*
21 *formation submitted to the Oregon Health Authority in the manner described in ORS 247.018].*

22 **SECTION 3.** ORS 247.012, as amended by section 4, chapter 492, Oregon Laws 2023, is amended
23 to read:

24 247.012. (1) A qualified person may register to vote or update a registration to vote by:

25 (a) Delivering by mail, having a person deliver or otherwise delivering a completed registration
26 card to any county clerk, the Secretary of State, any office of the Department of Transportation or
27 any designated voter registration agency as described in ORS 247.208;

28 (b) Personally delivering, or having a person deliver, the card to an official designated by a

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 county clerk under subsection (7) of this section;

2 (c) Submitting the person's legal name, age, residence and citizenship information and electronic
3 signature to the Department of Transportation; **or**

4 [(d) Submitting the person's legal name, age, residence and citizenship information to the Oregon
5 Health Authority for use in the Oregon Health Plan; or]

6 [(e)] (d) Completing a registration card using the electronic voter registration system described
7 in ORS 247.019.

8 (2) If a registration card is mailed or delivered to:

9 (a) Any person other than a county clerk or the Secretary of State, the person shall forward the
10 card to a county clerk or the Secretary of State not later than the fifth day after receiving the card;
11 or

12 (b) The Secretary of State or a county clerk for a county other than the county in which the
13 person applying for registration resides, the Secretary of State or county clerk shall forward the
14 card to the county clerk for the county in which the person resides not later than the fifth day after
15 receiving the card.

16 (3) Registration of a qualified person occurs:

17 (a) When a legible, accurate and complete registration card is received in the office of any
18 county clerk, the Office of the Secretary of State, an office of the Department of Transportation, a
19 designated voter registration agency under ORS 247.208 or at a location designated by a county
20 clerk under subsection (7) of this section;

21 (b) On the date a registration card is postmarked if the card is received after the 21st day im-
22 mediately preceding an election but is postmarked not later than the 21st day immediately preceding
23 the election and is addressed to an office of any county clerk, the Office of the Secretary of State,
24 an office of the Department of Transportation or any designated voter registration agency as de-
25 scribed in ORS 247.208; or

26 (c) In the case of a registration card missing a date of birth, containing an incomplete date of
27 birth or containing an unintentional scrivener's error that is supplied or corrected as described in
28 subsection (4) or (6) of this section, on the date that registration would have occurred if the regis-
29 tration card had not been missing the date of birth, contained an incomplete date of birth or con-
30 tained the scrivener's error.

31 (4)(a)[(A)] Except as provided in ORS 247.125, if a registration card is legible, accurate and
32 contains, at a minimum, the registrant's name, residence address, date of birth and signature, the
33 county clerk shall register the person.

34 [(B) The county clerk shall register a person pursuant to ORS 247.018, regardless of whether the
35 person's registration card contains a signature, if the person's registration card is legible, accurate and
36 contains, at a minimum, the registrant's name, residence address and date of birth.]

37 (b) If the information required under paragraph (a)[(A)] of this subsection is missing from the
38 registration card or the date of birth is incomplete, [or if the signature of a person described in
39 paragraph (a)(B) of this subsection has not been submitted,] the county clerk shall attempt to obtain
40 the missing or incomplete information from all sources available to the county clerk, including but
41 not limited to current and previous addresses and phone numbers of the registrant. The county clerk
42 may also supply the registrant's date of birth from any previous registration of the registrant. If the
43 missing or incomplete information cannot be obtained from sources available to the county clerk,
44 the county clerk shall use reasonable efforts to contact the registrant by phone, mail and electronic
45 mail to obtain the missing or incomplete information.

1 (5) If a registration card meets the requirements of subsection (4) of this section but is missing
 2 an indication of political party affiliation, the registrant shall be considered not affiliated with any
 3 political party. This subsection does not apply if an elector is updating a registration.

4 (6) If a registration card contains an unintentional scrivener’s error, the county clerk may at-
 5 tempt to contact the person to correct the error.

6 (7) A county clerk may appoint officials to accept registration of persons at designated locations.
 7 The appointments and locations shall be in writing and filed in the office of the county clerk. The
 8 county clerk shall be responsible for the performance of duties by those appointed.

9 (8) A registration card received and accepted under this section shall be considered an active
 10 registration.

11 (9) A registration may be updated at any time.

12 **SECTION 4.** ORS 247.014, as amended by section 6, chapter 492, Oregon Laws 2023, is amended
 13 to read:

14 247.014. In implementing ORS 247.012, 247.017[, 247.018] and 247.171, the Department of Trans-
 15 portation [*and the Oregon Health Authority*] shall take steps reasonably necessary to allow transfer
 16 of voter registration information by electronic or magnetic medium.

17 **SECTION 5.** ORS 247.019, as amended by section 8, chapter 492, Oregon Laws 2023, is amended
 18 to read:

19 247.019. (1) The Secretary of State by rule shall adopt an electronic voter registration system
 20 to be used by qualified persons who have a valid:

- 21 (a) Oregon driver license, as defined in ORS 801.245;
- 22 (b) Oregon driver permit, as defined in ORS 801.250;
- 23 (c) State identification card, issued under ORS 807.400; or
- 24 (d) Social Security number.

25 (2)(a) The electronic voter registration system shall:

26 (A) Require a person registering to vote under subsection (1)(d) of this section to enter only the
 27 final four digits of the person’s valid Social Security number;

28 (B) Allow a person **registering to vote under subsection (1)(d) of this section** to electron-
 29 ically submit an image of the person’s signature; and

30 (C) Allow a qualified person to complete and deliver a registration card electronically.

31 (b) A registration card delivered under this section is considered delivered to the Secretary of
 32 State for purposes of this chapter.

33 (3) A person who completes a registration card electronically under this section consents to the
 34 use of the person’s driver license, driver permit or state identification card signature, or an elec-
 35 tronically submitted image of the person’s signature, for voter registration purposes.

36 (4) If available, the Department of Transportation shall provide to the Secretary of State a dig-
 37 ital copy of the driver license, driver permit or state identification card signature of each person
 38 who completes a registration card under this section.

39 (5) The electronic voter registration system may also include an application programming
 40 interface to allow third-party organizations to securely submit registration cards electronically on
 41 behalf of individuals. In order to submit registration cards under this subsection, a third-party or-
 42 ganization must be approved as a voter registration organization under a process designed by the
 43 Secretary of State by rule.

44 **SECTION 6.** ORS 247.171, as amended by section 7, chapter 492, Oregon Laws 2023, is amended
 45 to read:

1 247.171. (1) Except as provided in this subsection, the Secretary of State shall design, prepare
 2 and distribute state voter registration cards. The Secretary of State shall also distribute federal
 3 registration cards. Any person may apply in writing to the Secretary of State for permission to print,
 4 copy or otherwise prepare and distribute the registration cards designed by the Secretary of State.
 5 The secretary may revoke any permission granted under this subsection at any time. All registration
 6 cards shall be distributed to the public without charge.

7 (2) The Secretary of State shall approve any voter registration application form developed for
 8 use by any agency designated as a voter registration agency under ORS 247.208.

9 (3) Each voter registration card designed or approved by the Secretary of State shall describe
 10 the penalties for knowingly supplying false information on the registration card and shall contain
 11 space for a person to provide the following information:

12 (a) Full name;

13 (b) Residence address, mailing address or any other information necessary to locate the resi-
 14 dence of the person offering to register to vote;

15 (c) The name of the political party with which the person is affiliated, if any;

16 (d) Date of birth;

17 (e) An indication that the person is a citizen of the United States; and

18 (f) [*Except as provided in ORS 247.018,*] A signature attesting to the fact that the person is
 19 qualified to be an elector.

20 (4) Any form containing a voter registration card may also include space for a person to provide:

21 (a) A telephone number where the person may be contacted; and

22 (b) If previously registered to vote in this state, the name then supplied by the person and the
 23 county and, if known, the address of previous registration.

24 (5) A person shall not supply any information under subsection (3) or (4) of this section knowing
 25 it to be false.

26 (6) A county clerk or other person accepting registration cards shall not request any informa-
 27 tion unless it is authorized by state or federal law.

28 (7) [*Except as provided in ORS 247.018,*] A person shall attest to the information supplied on the
 29 voter registration card by signing the completed registration card.

30 (8) [*Except as provided in subsection (7) of this section,*] Any completed and signed registration
 31 card described in subsection (3) of this section shall be the official registration card of the elector.

32 **SECTION 7.** ORS 247.292, as amended by section 5, chapter 492, Oregon Laws 2023, is amended
 33 to read:

34 247.292. (1) A county clerk shall update the registration of an elector in the county upon re-
 35 ceiving evidence from:

36 (a) The elector indicating a residence or mailing address that is different from the residence or
 37 mailing address for the elector as contained in the records of the county clerk;

38 (b) The United States Postal Service indicating a residence address that is different from the
 39 residence address for the elector as contained in the records of the county clerk; or

40 (c) The Secretary of State as provided in ORS 247.017[, 247.018] or 247.295.

41 (2) When a county clerk updates the registration of an elector under subsection (1) of this sec-
 42 tion, the clerk shall send a new voter notification card by nonforwardable mail to the elector as
 43 provided in ORS 247.181. The clerk shall include a notice stating that if the residence address or
 44 mailing address is not correct, the elector must notify the clerk.

45 (3) An elector is not disqualified from voting due to any error relating to an update of regis-

1 tration made under this section.

2 **SECTION 8. This 2025 Act being necessary for the immediate preservation of the public**
3 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
4 **on its passage.**

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