

# 2023 Synopsis of Oregon Election Laws

Laws enacted by the 82<sup>nd</sup> Legislative Assembly during the 2023 Regular Session.  
Synopsis compiled by the Secretary of State, Elections Division.



## Secretary of State

Elections Division Rev. 9/2023

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## House Bills

<b>Bill No.</b>	<b>Summary</b>	<b>Page</b>
HB 2004	Adopts Ranked Choice Voting (RCV) as the voting and election process for certain offices.  HB 2004 is effective on December 5, 2024, but becomes operative on January 1, 2028 if approved by the voters of this state at the 2024 general election.	21
HB 2038	Updates information required to be disclosed on Statements of Economic Interest.  HB 2038 is effective on January 1, 2024.	20
HB 2107	Expands automatic voter registration (AVR) to the Oregon Health Authority.  HB 2107 is effective on January 1, 2024, but becomes operative on June 1, 2026 if approved by the federal government.	7
HB 2112	Requires government entities to consider the fiscal, tribal cultural, historical or research value when assessing retention or disposition of public records.  HB 2112 is effective on January 1, 2024.	17, 20
HB 2490	Exempts cybersecurity plans and related documents from disclosure as a public record.  HB 2490 is effective on January 1, 2024.	20
HB 2805	Clarifies scope of public meetings law and expands compliance oversight. Requires training for certain people.  HB 2805 is effective on September 24, 2023.	20
HB 3073	Relating to public disclosure of voter records and declarations of candidacy.  HB 3073 is effective on September 24, 2023, but becomes operative on January 1, 2024.	7, 10, 16

## Senate Bills

<b>Bill No.</b>	<b>Summary</b>	<b>Page</b>
SB 11	Requires state boards and commissions to record and publish certain public meetings.  SB 11 is effective on January 1, 2024.	20
SB 28	Prescribes ballot title and explanatory statements process for legislative referrals passed during the 2023 Legislative Session.  SB 28 is effective on July 18, 2023.	19
SB 53	Expands restrictions on who may handle ballots and verify signatures.  SB 53 is effective on January 1, 2024.	13, 14, 15
SB 166	Relating to election administration: <ul style="list-style-type: none"> <li>- expressly guarantees right to vote and right to a secret ballot;</li> <li>- changes deadline to request lists of voters;</li> <li>- changes filing officer for county judges who exercise judicial functions;</li> <li>- updates county security plan requirements and deadline to file;</li> <li>- prohibits certain disclosure of signatures on petition sheets;</li> <li>- updates requirements for electronic petition signature sheets;</li> <li>- removes prohibition against alternate voting methods or devices;</li> <li>- clarifies deadline to certify state measures;</li> <li>- provides additional time for voters to receive absentee ballots;</li> <li>- updates voter cancellation requirements;</li> <li>- changes deadlines for certain special district formation requirements;</li> <li>- updates certain campaign finance reporting requirements;</li> <li>- prohibits physical currency contributions above \$100/calendar year;</li> <li>- changes criteria for determining when candidate location/residence should be printed on ballots;</li> <li>- allows electors to request address confidentiality for family members;</li> </ul> SB 166 is effective on August 4, 2023.	6, 7, 8, 10, 11, 12, 14, 15, 17 18, 20
SB 168	Clarifies restrictions on political campaigning by public employees.  SB 168 is effective on January 1, 2024.	18
SB 585	Removes certain durational voter registration and party membership requirements for individuals seeking the office of precinct committeeperson who become U.S. citizens after those deadlines.  SB 585 is effective on January 1, 2024.	9, 10
SB 1068	Creates new provisions relating to annexing territory to rural fire protection districts.  SB 1068 is effective on September 24, 2023.	20

## Senate Bills (continued)

Bill No.	Summary	Page
SB 1094	Authorizes SOS to secure federal grant money to fund pilot project providing livestream of drop sites and rooms where ballots are counted.  Effective January 1, 2024.	19

## Referrals and Resolutions

<b>Bill No.</b>	<b>Summary</b>	<b>Page</b>
HJR 16	<p>Proposes amendment to Oregon Constitution to vest the Legislative Assembly with the power to impeach and try statewide elected Executive Branch officials.</p> <p>Referred to the voters of this state to be voted on at the 2024 General Election.</p>	21
SJR 34	<p>Proposes amendment to Oregon Constitution to establish a commission to determine salaries for certain public officials.</p> <p>Referred to the voters of this state to be voted on at the 2024 General Election.</p>	21
SCR 1	<p>Expresses support for Oregon Association of County Clerks and all election workers.</p>	19

# ORS Chapter 246

## Administration of Election Laws

<b>ORS</b>	<b>Bill No.</b>	<b>Section</b>	<b>Action</b>	<b>Synopsis</b>
246	SB 166	18	Add	<p>Allows the Secretary of State to alter the specific language required to be written in documents relating to an election if the alternation does not materially change the meaning of the language altered.</p> <p>Requires Secretary of State to promulgate administrative rules.</p> <p>Effective August 4, 2023.</p>

# ORS Chapter 247

## Qualification and Registration of Electors

ORS	Bill No.	Section	Action	Synopsis
247	HB 2107	2	Add	<p>Expands automatic voter registration to participants of the Oregon Health Plan which is administered by the Oregon Health Authority.</p> <p>Requires Secretary of State to promulgate administrative rules.</p> <p>HB 2107 is effective on January 1, 2024, but becomes operative on June 1, 2026 if approved by the federal government.</p>
247.005	SB 166	1	Amend	<p>Expressly guarantees a qualified elector's right to vote.</p> <p>Effective August 4, 2023.</p>
247.555	SB 166	32	Amend	<p>Removes requirement that county elections official cancel a voter's registration when the voter registers in another county within the state. This requirement is no longer needed because counties use a centralized voter registration database which allows for voter's information to be updated when they move to another county in the state.</p> <p>Effective August 4, 2023.</p>
247.940	SB 166	9	Amend	<p>Changes timeframe during which political parties may request a free list of voters from six months to three months before an election. Prohibits request of free list until the 15<sup>th</sup> day after the most recent election.</p> <p>Effective August 4, 2023.</p>
247.948	HB 3073	6	Amend	<p>Prohibits disclosure of candidate or public official residence and mailing address on voter lists if the candidate has chosen to exempt their addresses from public disclosure.</p> <p>Effective September 24, 2023, but becomes operative on January 1, 2024.</p>
247.948	SB 166	8	Amend	<p>Prohibits disclosure of information required to be kept confidential under ORS 247.965 or as part of the Address Confidentiality Program (ACP).</p> <p>Effective August 4, 2023.</p>
247.965	SB 166	11	Amend	<p>Allows electors to request address confidentiality on behalf of any family member residing with the elector. Prohibits county elections official from disclosing residence address if exemption request is granted.</p> <p>Effective August 4, 2023.</p>

## ORS Chapter 247 (continued)

### Qualification and Registration of Electors

ORS	Bill No.	Section	Action	Synopsis
247.967	SB 166	12	Amend	Allows county elections official to disclose, in spite of the provisions of ORS 247.965, residence address of an elector and any family member residing with the elector if a court order or a request from any law enforcement agency requires disclosure. Effective August 4, 2023.



# ORS Chapter 248

## Political Parties; Presidential Electors

ORS	Bill No.	Section	Action	Synopsis
248.017	SB 585	1	Amend	<p>Removes requirement that candidates seeking the office of precinct committeeperson be registered to vote in the precinct no later than the 251<sup>st</sup> day before the primary election if the individual:</p> <ul style="list-style-type: none"><li>- becomes a U.S. citizen between the 251<sup>st</sup> day and the deadline to file a declaration of candidacy; and</li><li>- is registered as a member of the major political party by the deadline to file a declaration of candidacy</li></ul> <p>Effective January 1, 2024.</p>

# ORS Chapter 249

## Candidates; Recall

ORS	Bill No.	Section	Action	Synopsis
249	HB 3073	2 3, 4	Add Amend	<p>Requires Secretary of State to update declarations of candidacy and nominating petitions to include an option for candidates to exempt their address from public disclosure on publicly accessible versions of the forms and voter lists. Information subject to inspection only when requested by written public records request.</p> <p>Requires filing officers to periodically confirm the person continues to qualify for the exemption. People may qualify for the exemption by being a candidate for public office or holding public office.</p> <p>Does not apply to precinct committeepersons or candidates for that office.</p> <p>Effective September 24, 2023, but becomes operative on January 1, 2024.</p>
249.002	SB 166	10	Amend	<p>Updates definition of the term “judge” by removing the office of county judge who exercises judicial functions.</p> <p>Updates definition of the term “nonpartisan office” by including the office of county judge who exercises judicial functions.</p> <p>Effective August 4, 2023.</p>
249.046	SB 585	2	Amend	<p>Removes requirement that candidates seeking the office of precinct committeeperson be registered to vote as a member of the major political party at least 180 days before the primary election if the individual became a U.S. citizen within the 180-day period.</p> <p>Effective January 1, 2024.</p>
249.068	SB 166	25	Amend	<p>Clarifies formula to be applied when determining the number of signatures required to be collected by a major party candidate seeking partisan office ballot access by petition in lieu of a fee in the years following reapportionment.</p> <p>Effective August 4, 2023.</p>

## ORS Chapter 249 (continued)

### Candidates; Recall

ORS	Bill No.	Section	Action	Synopsis
249.740	SB 166	26	Amend	Clarifies formula to be applied when determining the number of signatures required to be collected by a nonaffiliated candidate seeking partisan office ballot access by petition in lieu of a fee in the years following reapportionment.  Effective August 4, 2023.

# ORS Chapter 250

## Initiative and Referendum

ORS	Bill No.	Section	Action	Synopsis
250	SB 166	13, 14	Add	<p>Prohibits copying of voter signature on petition signature sheets for disclosure as a public record unless explicitly required to do so as part of official duties.</p> <p>Allows signature sheet to be inspected in-person in the office of the chief elections officer as defined by ORS 254.005.</p> <p>Effective August 4, 2023.</p>
250.052	SB 166	16	Amend	<p>Removes double signature requirement for voters signing electronic petition signature sheets. Instead of signing once signify support of the petition and again to certify proper receipt of the signature sheet, now voters must only sign once to both indicate support and certify.</p> <p>Effective August 4, 2023.</p>

# ORS Chapter 253

## Absent Electors

ORS	Bill No.	Section	Action	Synopsis
253.690	SB 53	3	Amend	<p>Expands restrictions on who county elections officials may employ to verify signatures on ballot return identification envelopes. Domestic partners and household members of a candidate who is on the ballot may now not be employed or volunteer in this capacity.</p> <p>Effective January 1, 2024.</p>

# ORS Chapter 254

## Conduct of Elections

ORS	Bill No.	Section	Action	Synopsis
254	SB 166	3	Add	Expressly guarantees voter's right to a secret ballot. Prohibits disclosure of any information that would reveal how a particular voter voted in an election.  Effective August 4, 2023.
254	SB 166	7	Add	Codifies the provisions of ORS 247.007 into ORS chapter 254.  Effective August 4, 2023.
254.074	SB 166	4	Amend	Allows Secretary of State to designate the deadline for county elections officials to file elections security plan.  Requires elections security plan to include physical security and cybersecurity procedures.  Clarifies that in addition the plan itself, communications relating to the development and review of security plan are confidential and not subject to public disclosure.  Effective August 4, 2023.
254.115	SB 166	31	Amend	Requires candidate residence location to be printed on the ballot with their names when two or more candidates for the same nomination of office have the same first and last name instead of when they have similar surnames.  This requirement does not apply to candidates for the office of precinct committeeperson.  Effective August 4, 2023.
254.476	SB 53	1	Amend	Expands restrictions on who county elections officials may employ to prepare, count, or otherwise handle ballots. Domestic partners and household members of a candidate who is on the ballot may now not be employed or volunteer in this capacity.  Effective January 1, 2024.

# ORS Chapter 254 (continued)

## Conduct of Elections

ORS	Bill No.	Section	Action	Synopsis
254.470	SB 53	2	Amend	<p>Expands restrictions on who county elections officials may employ to verify signatures on ballot return identification envelopes. Domestic partners and household members of a candidate who is on the ballot may now not be employed or volunteer in this capacity.</p> <p>Effective January 1, 2024.</p>
254.470	SB 166	30	Amend	<p>Allows voter to pick up ballot at county elections office beginning on the 43<sup>rd</sup> day before the election if they will be absent during the three weeks before the election. Allows county elections official to mail a ballot to a voter beginning on the 43<sup>rd</sup> day before the election if the voter will be absent during the three weeks before the election.</p> <p>Effective August 4, 2023.</p>
254.505	SB 166	19	Amend	<p>Removes prohibition against using alternate voting methods or devices when casting a write-in vote.</p> <p>Effective August 4, 2023.</p>
254.529	SB 166	27	Amend	<p>Changes deadline for county elections official to conduct post-election audit and certify results abstract of votes for state measures from the 37<sup>th</sup> day after the election to the 30<sup>th</sup> day after the election consistent with Article IV, Section 1(4)(d) of the Oregon Constitution.</p> <p>Effective August 4, 2023.</p>
254.555	SB 166	24	Amend	<p>Changes deadline for Secretary of State to certify state measures from the 37<sup>th</sup> day after the election to the 30<sup>th</sup> day after the election consistent with Article IV, Section 1(4)(d) of the Oregon Constitution.</p> <p>Effective August 4, 2023.</p>

# ORS Chapter 255

## Special District Elections

ORS	Bill No.	Section	Action	Synopsis
255.235	HB 3073	5	Amend	<p>Requires Secretary of State to update declarations of candidacy and nominating petitions to include an option for candidates to exempt their address from public disclosure.</p> <p>Effective September 24, 2023, but becomes operative on January 1, 2024.</p>



# ORS Chapter 260

## Campaign Finance Regulations; Election Offenses

ORS	Bill No.	Section	Action	Synopsis
260	SB 166	6	Add	Limits the amount of physical currency contributions political committees may receive to \$100 per single source, per calendar year.  Effective August 4, 2023.
260.007	SB 166	21	Amend	Changes the criteria used to determine whether a debate between candidates for state office is exempt from the definition of a contribution. Instead of exempting the debate from reporting requirements when all major political party candidates have been invited to participate, debates are now exempt from reporting requirements if they are invited based on neutral criteria that is publicized in advance of the invitation.  Effective August 4, 2023.
260.043	SB 166	20	Amend	Excludes county voters' pamphlet fees and <i>de minimis</i> voters' pamphlet petition costs from calculations used to determine if a candidate has exceeded the \$750 filing exemption threshold.  Effective August 4, 2023.
260.255	HB 2112	10	Amend	Requires consideration of fiscal, tribal cultural, historical or research value of campaign finance data publicly available on ORESTAR before disposition.  Effective January 1, 2024.
260.315	SB 166	23	Amend	Clarifies that Secretary of State is not required to provide physical copies of ORS chapter 260 but will make it available to other filing officers and each person believed to fall under campaign finance reporting requirements.  Effective August 4, 2023.
260.345	SB 166	22	Amend	Clarifies that Secretary of State is required to notify a person that they are the subject of an investigation only after determining that an investigation is necessary to determine whether an election law violation has occurred.  Effective August 4, 2023.

## ORS Chapter 260 (continued)

### Campaign Finance Regulations; Election Offenses

ORS	Bill No.	Section	Action	Synopsis
260.432	SB 168	1	Amend	<p>Applies existing political advocacy restrictions on public employees in circumstances not previously covered by the law including appointments to elected office and the filing of initiative, referendum, or recall petitions.</p> <p>Clarifies that public employees may not engage in political advocacy while on the job or while acting in their official capacity. The statute does not prohibit public employees from expressing personal political views if:</p> <ul style="list-style-type: none"> <li>- a reasonable person would not infer that the employee's views represent that of the employer; or</li> <li>- the employee is communicating with another employee or an elected official in furtherance of the elected official's constitutional duty to appoint a person to public office.</li> </ul> <p>Effective January 1, 2024.</p>
260.555	SB 166	15	Amend	<p>Extends petition sheet circulator restrictions and prohibitions to all petition and prospective petition types. Circulators may not:</p> <ul style="list-style-type: none"> <li>- Make a false statement regarding the content, meaning or effect;</li> <li>- Knowingly circulate or file a petition containing a false signature;</li> <li>- Knowingly attempt to obtain an unqualified person's signature;</li> </ul> <p>Prohibits a person from signing any petition or prospective petition when they know they have already signed the petition or know they are not qualified to sign it. Also prohibits a person from signing the name of another person.</p> <p>Effective August 4, 2023.</p>

## Related To Election Administration

**Bill No. Synopsis**

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SCR 1 Expresses support and applauds Oregon Association of County Clerks and all election workers for their professionalism and dedication to upholding fair and safe elections.

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SB 28 Prescribes process for creating ballot title and explanatory statements for legislative referrals passed during the 2023 Legislative Session.

Effective July 18, 2023.

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SB 1094 Authorizes Secretary of State to secure federal grant moneys to fund pilot project providing live video feed of rooms in which ballots are counted and official ballot drop sites.

Effective January 1, 2024.

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## Statutes Outside Election Law

ORS	Bill No.	Section	Action	Synopsis
192	HB 2805	1-16	Add & Amend	Clarifies scope of public meetings law. Requires certain members of governing bodies to attend training on public meetings law. Expands the Oregon Government Ethics Commission's oversight of public meetings law compliance. Effective September 24, 2023.
192	HB 2112	1-10	Amend	Requires government entities to consider the fiscal, tribal cultural, historical or research when assessing retention or disposition of public records. Effective January 1, 2024.
192.355	HB 2490	1	Amend	Exempts cybersecurity plans from disclosure as a public record. Exempts documents relating to the existence, nature, location or function of cybersecurity devices, programs or systems designed to protect against threat or attack. Effective January 1, 2024.
192.672	SB 11	1	Amend	Requires state boards or commissions that meet virtually, including via telephone, to record and promptly publish the meeting on a publicly accessible website. Effective January 1, 2024.
198.715	SB 1068	1-4	Add & Amend	Creates new provisions relating to annexing territory to rural fire protection districts. Effective September 24, 2023.
198.775	SB 166	28	Amend	Changes deadline for county elections official to refund, pay into the general fund, negotiate or collect deposits or bonds accompanying a petition for formation, annexation, withdrawal or dissolution of a special district from 30 days after the election to 45 days after the results of the election are certified. Effective August 4, 2023.
198.820	SB 166	29	Amend	Changes deadline to enter an order declaring the results of a district formation petition from 30 days after the election to 15 days after the results of the election are certified. Effective August 4, 2023.
244.060	HB 2038	1-2	Amend	Updates information required to be disclosed by public officials or candidates filing Statements of Economic Interest with the Oregon Government Ethics Commission. Effective January 1, 2024.

## Referred to Voters

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**Bill No. Synopsis**

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HB 2004 Requires Ranked Choice Voting (RCV) to be used when nominating or electing candidates for the offices of President of the United States, United States Senators or Representatives in Congress, Governor, Secretary of State, State Treasurer, Attorney General. Allows local jurisdictions to adopt RCV as the voting method to nominate and elect candidates to public office.

Removes nominating election for the office of Commissioner of the Bureau of Labor and Industries and requires the winner to be elected by RCV at the primary election.

Requires Secretary of State to promulgate administrative rules to implement RCV in coordination with county elections officials and with stakeholder input.

Requires Secretary of State to establish a program to educate voters about how RCV will be conducted in the state. Also requires Secretary of State and county elections officials to submit joint reports to the Legislative Assembly outlining legislative updates and resources needed to successfully implement RCV.

HB 2004 is effective on December 5, 2024, but becomes operative on January 1, 2028 if approved by the voters of this state at the 2024 general election.

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HJR 16 Proposes amendment to Oregon Constitution to vest power of impeachment of statewide elected Executive Branch officials in House of Representatives and power to try impeachments in Senate.

Referred to the voters of this state to be voted on at the 2024 General Election.

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SJR 34 Proposes amendment to Oregon Constitution to establish Independent Public Service Compensation Commission. Direct commission to establish salaries for certain public officials.

Referred to the voters of this state to be voted on at the 2024 General Election.

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