

Senate Bill 178

Sponsored by Senator BOQUIST (at the request of Ted Campbell) (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**.

Ends practice of returning voted ballots by mail by requiring electors to cast ballots in person on date of election.

Requires electors to show valid government-issued photo identification card and to sign elector's book to cast ballot.

Requires Oregon State Defense Force to deliver ballot boxes on date of election, transport cast ballots to armory used by Oregon National Guard for counting and to provide ballot security at armory.

A BILL FOR AN ACT

1
2 Relating to elections; creating new provisions; amending ORS 247.307, 254.074, 254.408, 254.415,
3 254.470, 254.476, 254.480, 254.482, 254.483, 254.485, 260.665 and 260.695; and repealing ORS
4 254.431, 254.458, 254.465, 254.474 and 254.478.

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

6 **SECTION 1.** ORS 254.470 is amended to read:

7 254.470. (1) The Secretary of State by rule shall establish requirements and criteria for the
8 designation of places of deposit for the ballots cast in an election. The rules shall also specify the
9 dates and times the places of deposit must be open and, **in a manner consistent with the re-**
10 **quirements set forth in sections 3 and 4 of this 2015 Act**, the security requirements for the
11 places of deposit. [*At a minimum,*] The places **of deposit** designated under this [*section*] **subsection**
12 shall be open on the date of the election for a period of eight or more hours, but must be open until
13 at least 8 p.m. At each place of deposit designated under this [*section*] **subsection**, the county clerk
14 shall prominently display a sign stating that the location is an official ballot drop site.

15 (2)(a) Except as provided in paragraphs (b) and (c) of this subsection, the county clerk shall mail
16 by nonforwardable mail an official ballot [*with a return identification envelope and a secrecy*
17 *envelope*] not sooner than the 20th day before the date of an election and not later than the 14th
18 day before the date of the election, to each active elector of the electoral district as of the 21st day
19 before the date of the election.

20 (b) If the county clerk determines that an active elector of the electoral district as of the 21st
21 day before the date of the election does not receive daily mail service from the United States Postal
22 Service, the county clerk shall mail by nonforwardable mail an official ballot [*with a return iden-*
23 *tification envelope and a secrecy envelope*] to the elector not sooner than the 20th day before the date
24 of an election and not later than the 18th day before the date of the election.

25 (c) In the case of ballots to be mailed to addresses outside this state to electors who are not
26 military or overseas electors, the county clerk may mail the ballots not sooner than the 29th day
27 before the date of the election.

28 (3) For an election held on the date of a primary election:

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 (a) The county clerk shall mail the official ballot of a major political party to each elector who
 2 is registered as being affiliated with the major political party as of the 21st day before the date of
 3 the election.

4 (b) The county clerk shall mail the official ballot of a major political party to an elector not
 5 affiliated with any political party if the elector has applied for the ballot as provided in this sub-
 6 section and that party has provided under ORS 254.365 for a primary election that admits electors
 7 not affiliated with any political party.

8 (c) An elector not affiliated with any political party who wishes to vote in the primary election
 9 of a major political party shall apply to the county clerk in writing. The application shall indicate
 10 which major political party ballot the elector wishes to receive. Except for electors described in
 11 subsection (4) of this section, and subject to ORS 247.203, the application must be received by the
 12 county clerk not later than 5 p.m. of the 21st day before the date of the election.

13 (d) If the primary election ballot includes city, county or nonpartisan offices or measures, the
 14 county clerk shall mail to each elector who is not eligible to vote for party candidates a ballot
 15 limited to those offices and measures for which the elector is eligible to vote.

16 (4) For each elector who updates a voter registration after the deadline in ORS 247.025, the
 17 county clerk shall make the official ballot[, *the return identification envelope and the secrecy*
 18 *envelope*] available either by mail or at the county clerk's office or at another place designated by
 19 the county clerk. An elector to whom this subsection applies must request a ballot from the county
 20 clerk.

21 (5) The ballot shall contain the following warning:
 22 _____
 23

24 Any person who, by use of force or other means, unduly influences an elector to vote in any
 25 particular manner or to refrain from voting is subject to a fine.
 26 _____
 27

28 (6)(a) Upon receipt of any ballot described in this section, the elector shall mark the ballot[, *sign*
 29 *the return identification envelope supplied with the ballot*] and comply with the instructions provided
 30 with the ballot.

31 (b) The elector may return the marked ballot to the county clerk [*by United States mail or*] by
 32 depositing the ballot at **a place designated by the Secretary of State under subsection (1) of**
 33 **this section on the date of the election.** [*the office of the county clerk, at any place of deposit*
 34 *designated by the county clerk or at any location described in ORS 254.472 or 254.474.*]

35 [(c) *The ballot must be returned in the return identification envelope. If the elector returns the*
 36 *ballot by mail, the elector must provide the postage.*]

37 [(d) *Subject to paragraph (e) of this subsection, if a person returns a ballot for an elector, the*
 38 *person shall deposit the ballot in a manner described in paragraph (b) of this subsection not later than*
 39 *two days after receiving the ballot.*]

40 [(e)] (c) A ballot must be received at [*the office of the county clerk, at the*] a designated place of
 41 deposit [*or at any location described in ORS 254.472 or 254.474*] not later than the end of the period
 42 determined under subsection (1) of this section on the date of the election.

43 (7) An elector may obtain a replacement ballot if the ballot is destroyed, spoiled, lost or not
 44 received by the elector. Replacement ballots shall be issued and processed as described in this
 45 section and ORS 254.480. The county clerk shall keep a record of each replacement ballot provided

1 under this subsection. Notwithstanding any deadline for mailing ballots **to electors** in subsection
 2 (2) of this section, a replacement ballot may be mailed, made available in the office of the county
 3 clerk or made available at one central location in the electoral district in which the election is
 4 conducted. The county clerk shall designate the central location. A replacement ballot need not be
 5 mailed after the fifth day before the date of the election.

6 [(8) A ballot shall be counted only if:]

7 [(a) It is returned in the return identification envelope;]

8 [(b) The envelope is signed by the elector to whom the ballot is issued; and]

9 [(c) The signature is verified as provided in subsection (9) of this section.]

10 **(8) A ballot shall be counted only if, on the date of the election and at a place of deposit**
 11 **designated under subsection (1) of this section, the elector:**

12 **(a) Returns the ballot;**

13 **(b) Produces for inspection a valid driver license or other government-issued photo**
 14 **identification card that belongs to the elector;**

15 **(c) Deposits the ballot in an official ballot box that is secured by the Oregon State De-**
 16 **fense Force in the manner set forth in section 3 of this 2015 Act; and**

17 **(d) Signs an official elector's book prepared by the county clerk.**

18 **(9) If a person offering to vote is unable to provide the person's government-issued photo**
 19 **identification card as required under subsection (8) of this section, the person shall be**
 20 **granted the right to vote with a provisional ballot designed by the Secretary of State by rule.**
 21 **Provisional ballots cast under this subsection must be kept separate from other ballots cast**
 22 **during the election and may be counted only if the person offering to vote produces for in-**
 23 **spection to the county clerk a valid government-issued photo identification card by 5 p.m.**
 24 **on the first Friday after the date of the election.**

25 [(9)] **(10)** [The county clerk shall verify the signature of each elector on the return identification
 26 envelope with the signature on the elector's registration card, according to the procedure provided by
 27 rules adopted by the Secretary of State.] If the county clerk determines that an elector to whom a
 28 replacement ballot has been issued **under subsection (7) of this section** has voted more than once,
 29 the county clerk shall count only one ballot cast by that elector.

30 [(10)] **(11)** At 8 p.m. on election day, electors who are at [the county clerk's office,] a place of
 31 deposit designated under subsection (1) of this section [or any location described in ORS 254.472 or
 32 254.474] and who are in line waiting to vote or deposit a voted ballot shall be considered to have
 33 begun the act of voting.

34 **SECTION 2. Sections 3 and 4 of this 2015 Act are added to and made a part of ORS**
 35 **chapter 254.**

36 **SECTION 3. (1) On the date of the election, the Oregon State Defense Force shall deliver**
 37 **official ballot boxes to each place designated for the deposit of ballots under ORS 254.470.**
 38 **Delivery of official ballot boxes under this subsection must be made at least one hour before**
 39 **the place designated for the deposit of ballots opens.**

40 **(2) Immediately after the place designated for the deposit of ballots closes on the date**
 41 **of the election, the same member or members of the Oregon State Defense Force who de-**
 42 **posited the official ballot boxes pursuant to subsection (1) of this section shall seal each box**
 43 **and transport it to the closest armory used by the Oregon National Guard, where the ballots**
 44 **will be counted in accordance with section 4 of this 2015 Act.**

45 **SECTION 4. (1) All ballots cast at an election must be counted at an armory used by the**

1 **Oregon National Guard in the manner prescribed by this section.**

2 (2) **All counting of ballots, whether by hand or by a vote tally system, must be conducted**
 3 **on the drill floor of the armory.**

4 (3) **Security personnel shall permit persons authorized to watch the receiving and**
 5 **counting of votes under ORS 254.482 to stand or sit at a distance of one foot from the vote**
 6 **tally system or from the elections personnel performing a hand count of the ballots.**

7 (4) **If any information regarding the counting of votes must be transferred electronically**
 8 **from the armory to a different location, only one encrypted USB flash drive may be used for**
 9 **this purpose. The USB flash drive shall be kept secure by members of the Oregon State De-**
 10 **fense Force.**

11 (5) **An individual who is not directly involved in administering or officially observing the**
 12 **election may not be present at the armory while the ballots are counted.**

13 (6) **During the period when the ballots are being counted, the Oregon State Defense Force**
 14 **shall secure the armory and ensure that no unauthorized individuals are present.**

15 (7) **Once all of the ballots have been counted, the Oregon State Defense Force shall place**
 16 **all of the ballots in sealed containers and deliver the ballots to the office of the county clerk.**

17 **SECTION 5.** ORS 254.074 is amended to read:

18 254.074. (1)(a) Each county clerk shall file a county elections security plan with the Secretary
 19 of State not later than:

20 (A) January 31 of each calendar year; and

21 (B) One business day after any revision is made to the county elections security plan.

22 (b) A county elections security plan shall include, but is not limited to:

23 (A) A written security agreement entered into with [*any vendor handling ballots*] **the Oregon**
 24 **State Defense Force and any vendor authorized to handle ballots prior to the mailing of**
 25 **ballots to the electors;**

26 (B) Security procedures for transporting ballots, **in compliance with sections 3 and 4 of this**
 27 **2015 Act;**

28 (C) Security procedures **for ballots** at official places of deposit [*for ballots*] **designated under**
 29 **ORS 254.470;**

30 (D) Security procedures for processing ballots, **in compliance with section 4 of this 2015**
 31 **Act;**

32 (E) Security procedures governing election observers;

33 (F) Security procedures for **counted** ballots [*located*] **stored** in county elections work areas,
 34 buildings and storage areas;

35 (G) Security procedures for vote tally systems, including computer access to vote tally systems;

36 (H) The number and location of all video surveillance cameras within the elections office;

37 (I) Security procedures for scanning ballots into a vote tally system before the date of the
 38 election, if applicable; and

39 (J) Post-election ballot security, **in compliance with sections 3 and 4 of this 2015 Act.**

40 (2) A security plan developed and filed under subsection (1) of this section is confidential and
 41 not subject to disclosure under ORS 192.410 to 192.505.

42 (3) For each election, at the time the county clerk certifies the results of an election, the clerk
 43 shall submit to the Secretary of State a record of:

44 (a) The number of [*ballot envelopes received*] **individuals who attempted to submit a ballot.**

45 (b) The number of [*ballot envelopes*] **ballots** accepted.

1 (c) The number of *[ballot envelopes]* **ballots** not accepted.

2 (d) The number of *[ballot envelopes]* **ballots** rejected.

3 (e) The number of tallied ballots.

4 *[(4) A county clerk may not scan ballots as described in ORS 254.478 unless the Secretary of State*
 5 *reviews and approves a security plan described in subsection (1) of this section.]*

6 **SECTION 6.** ORS 254.408 is amended to read:

7 254.408. (1) A person offering to vote and who claims to be an elector, but for whom no evidence
 8 of active or inactive registration can be found, shall be granted the right to vote in the manner
 9 provided in this section.

10 (2) Whenever an elector updates a registration at a county clerk’s office after the ballots have
 11 been mailed under ORS 254.470, the elector shall vote in that election in the manner provided in this
 12 section.

13 (3) An elector voting under this section shall complete and sign a registration card.

14 (4) **On the date of the election, the elector shall arrive at a place of deposit designated**
 15 **under ORS 254.470 and** *[The elector shall]* insert the ballot into a small envelope provided by the
 16 county clerk and then insert the small envelope into a larger envelope. The larger envelope shall
 17 be delivered to the county clerk and shall be segregated and not counted until the registration of
 18 the elector is verified under this section.

19 (5) The county clerk shall determine if the elector is validly registered to vote and if the vote
 20 was properly cast. The ballot shall be counted only if the county clerk determines the registration
 21 of the elector is considered active or inactive.

22 (6) A vote shall be counted only if the elector is qualified to vote for the particular office or
 23 on the measure.

24 **SECTION 7.** ORS 254.415 is amended to read:

25 254.415. (1) The county clerk, an elections official or any elector shall challenge the ballot of
 26 any person offering to vote whom the clerk, official or elector knows or suspects not to be qualified
 27 as an elector.

28 (2) The clerk, official or elector challenging the ballot shall make, under oath or affirmation
 29 before a county clerk or other elections official, a written and numbered statement of challenge. The
 30 statement shall contain the name and residence address of the challenger, the name of the person
 31 challenged and a statement of the facts upon which the challenge is based.

32 (3) A person’s ballot may be challenged at any time before the ballot is removed from **the place**
 33 **of deposit designated under ORS 254.470** *[its return envelope]* for processing.

34 **SECTION 8.** ORS 254.476 is amended to read:

35 254.476. The county clerk may employ personnel as necessary to *[open envelopes,]* prepare ballots
 36 for counting and count ballots. The personnel may not all be members of the same political party.
 37 A candidate on the ballot at an election, other than an incumbent candidate for county clerk, or a
 38 person who is the spouse, child, son-in-law, daughter-in-law, parent, mother-in-law, father-in-law,
 39 sibling, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, stepparent or stepchild of any can-
 40 didate on the ballot may not be employed and may not serve as a volunteer in the capacity described
 41 in this section.

42 **SECTION 9.** ORS 254.480 is amended to read:

43 254.480. (1) An elector may obtain a replacement ballot described in ORS 254.470. To vote a
 44 replacement ballot, the elector must complete and sign a replacement ballot request form. The re-
 45 quest for a replacement ballot may be made electronically, by telephone, in writing, in person or by

1 other means designated by the Secretary of State by rule.

2 (2) The replacement ballot request form shall be mailed or made available to the elector along
3 with the replacement ballot.

4 (3) Upon receiving a request for a replacement ballot, the county clerk shall:

5 (a) Verify the registration of the elector and ensure that another ballot has not been returned
6 by the elector;

7 (b) Note in the list of electors that the elector has requested a replacement ballot;

8 (c) Mark the return identification envelope clearly so that it may be readily identified as a re-
9 placement ballot; and

10 (d) Issue the replacement ballot by mail or other means.

11 (4) *[The completed and signed replacement ballot request form and]* The voted replacement ballot
12 must be **submitted at a place of deposit designated** *[received at the office of the county clerk, a*
13 *place of deposit designated by the county clerk or any location described in ORS 254.472 or 254.474*
14 *not later than the end of the period determined]* under ORS 254.470 (1) on the date of the election.

15 (5) Upon receiving a voted replacement ballot, the county clerk shall verify that a completed
16 and signed replacement ballot request form has been received by the county clerk or is included
17 with the voted replacement ballot. If a request form has been completed and signed by the elector
18 and received by the county clerk, the county clerk shall process the ballot. If the request form is
19 not completed or signed by the elector or received by the county clerk, the county clerk may not
20 process the ballot.

21 **SECTION 10.** ORS 254.482 is amended to read:

22 254.482. *[After the date that ballots are mailed as provided in ORS 254.470]* **On the date of the**
23 **election**, the county clerk, if requested, shall permit authorized persons to be at **each armory used**
24 **for the counting of ballots under section 4 of this 2015 Act** *[the office of the county clerk]* to
25 watch the receiving and counting of votes. The authorization shall be in writing, shall be signed by
26 an officer or its county affiliate of a political party, a candidate or the county clerk and shall be
27 filed with the county clerk. The county clerk shall permit only so many persons as watchers under
28 this section as will not interfere with an orderly procedure at the *[office of the county clerk]*
29 **armory**.

30 **SECTION 11.** ORS 254.483 is amended to read:

31 254.483. (1) **Except as provided in sections 3 and 4 of this 2015 Act**, each county clerk is
32 responsible for the safekeeping, disposition and security of all ballots.

33 (2) As soon as practicable after the final day permitted for a contest of the election or for filing
34 a demand for a recount, the county clerk shall destroy all unused ballots.

35 **SECTION 12.** ORS 254.485 is amended to read:

36 254.485. (1) Ballots may be tallied by a vote tally system or by a counting board. A counting
37 board *[may tally ballots at the precinct or in the office of the county clerk]* **must tally ballots at an**
38 **armory used by the Oregon National Guard as described in section 4 of this 2015 Act**. In any
39 event, the ballots shall be tallied and returned by precinct.

40 (2) If a vote tally system is used, the county clerk shall repeat the public certification test de-
41 scribed under ORS 254.235 (1). The test shall be conducted immediately prior to scanning any bal-
42 lots. The test may be observed by persons described in ORS 254.235 (2). The county clerk shall
43 certify the results of the test.

44 (3) If a counting board has been appointed, the tally of ballots may begin on the date of the
45 election.

1 (4)(a) If ballots are tallied by a counting board, after the tally has begun it shall continue until
 2 completed. Except as provided in paragraph (b) of this subsection, a counting board shall tally
 3 without adjournment and in the presence of the clerks and persons authorized to attend.

4 (b) A counting board may be relieved by another board if the tally is not completed after 12
 5 hours.

6 (5) A counting board shall audibly announce the tally as it proceeds. The board shall use only
 7 pen and ink to tally.

8 (6) For ballots cast using a voting machine, the county clerk shall:

9 (a) Enter the ballots cast using the machine into the vote tally system; and

10 (b) In the event of a recount, provide the paper record copy recorded by the machine to the
 11 counting board.

12 (7) A person other than the county clerk, a member of a counting board or any other elections
 13 official designated by the county clerk may not tally ballots under this chapter.

14 **SECTION 13.** ORS 247.307 is amended to read:

15 247.307. (1) Except as provided in subsection (2) of this section, if the county clerk receives in-
 16 formation updating the registration of an elector after the deadline in ORS 247.025:

17 (a) The county clerk shall issue a ballot to the elector if the elector's registration was inactive
 18 prior to updating; or

19 (b) The county clerk shall issue a replacement ballot upon request from the elector if the
 20 elector's registration was active prior to updating.

21 (2) If the county clerk receives a registration card updating an elector's residence or mailing
 22 address after the deadline in ORS 247.025, the county clerk shall reissue a ballot to the elector if
 23 the elector's registration was active prior to updating.

24 (3)(a) If the county clerk is required to reissue a ballot under subsection (2) of this section, the
 25 county clerk shall:

26 (A) Verify the registration of the elector and ensure that another ballot has not been returned
 27 by the elector;

28 (B) Mark the return identification envelope clearly so that it may be readily identified as a re-
 29 issued ballot; and

30 (C) Reissue the ballot by mail or other means.

31 (b) A ballot reissued under this section must be received at [*the office of the county clerk,*] a place
 32 of deposit designated **under ORS 254.470** [*by the county clerk or any location described in ORS*
 33 *254.472 or 254.474 not later than the end of the period determined under ORS 254.470 (1)*] on the date
 34 of the election. Upon receiving a voted ballot reissued under this section, the county clerk shall
 35 process the ballot.

36 (4) Ballots issued under this section need not be mailed to electors after the fifth day before the
 37 date of the election and may be obtained by the elector in person from the county clerk up until
 38 and including the date of the election.

39 **SECTION 14.** ORS 260.665 is amended to read:

40 260.665. (1) As used in this section, "undue influence" means force, violence, restraint or the
 41 threat of it, inflicting injury, damage, harm, loss of employment or other loss or the threat of it, or
 42 giving or promising to give money, employment or other thing of value.

43 (2) A person, acting either alone or with or through any other person, may not directly or in-
 44 directly subject any person to undue influence with the intent to induce any person to:

45 (a) Register or vote;

- 1 (b) Refrain from registering or voting;
- 2 (c) Register or vote in any particular manner;
- 3 (d) Be or refrain from or cease being a candidate;
- 4 (e) Contribute or refrain from contributing to any candidate, political party or political com-
- 5 mittee;
- 6 (f) Render or refrain from rendering services to any candidate, political party or political com-
- 7 mittee;
- 8 (g) Challenge or refrain from challenging a person offering to vote;
- 9 (h) Apply or refrain from applying for a ballot as an absent elector; or
- 10 (i) Sign or refrain from signing a prospective petition or an initiative, referendum, recall or
- 11 candidate nominating petition.

12 (3) A person may not solicit or accept money or other thing of value as an inducement to act
 13 as prohibited by subsection (2) of this section.

14 (4) This section does not prohibit:

- 15 (a) The employment of persons to render services to candidates, political parties or political
- 16 committees;
- 17 (b) The public distribution by candidates, political parties or political committees of sample
- 18 ballots or other items readily available to the public without charge, even though the distributor
- 19 incurs costs in the distribution;
- 20 (c) Public or nonpromissory statements by or on behalf of a candidate of the candidate's in-
- 21 tentions or purposes if elected;
- 22 (d) A promise by a candidate to employ any person as administrative assistant, secretary or
- 23 other direct personal aide;
- 24 (e) Free custody and care of minor children of persons during the time those persons are absent
- 25 from those children for voting purposes;
- 26 (f) For persons voting, free transportation to and from places designated for the deposit of bal-
- 27 lots under ORS 254.470, [*or to and from locations described in ORS 254.472 or 254.474;*] but no means
- 28 of advertising, solicitation or inducement to influence the vote of persons transported may be used
- 29 with that transportation;
- 30 (g) Individuals or political committees from providing refreshments incidental to a gathering in
- 31 support of or in opposition to a candidate, political committee or measure; or
- 32 (h) The public distribution of registration cards by a person approved by the Secretary of State
- 33 under ORS 247.171 to print, copy or otherwise prepare and distribute registration cards, even though
- 34 the distributor incurs costs in the distribution.

35 **SECTION 15.** ORS 260.695, as amended by section 6, chapter 67, Oregon Laws 2014, and section
 36 6, chapter 112, Oregon Laws 2014, is amended to read:

37 260.695. (1)(a) If a person prints or circulates an imitation of the ballot or sample ballot:

38 (A) The imitation ballot or sample ballot and the back of any return envelope enclosed with the
 39 ballot or sample ballot shall state the following: "THIS IS NOT A REAL BALLOT. DO NOT USE
 40 TO VOTE." The statement on the imitation ballot or sample ballot shall be in bold print that is at
 41 least two times as large as the majority of the text on the ballot or sample ballot or 20-point type,
 42 whichever is larger. The statement on the back of a return envelope shall be in bold print that is
 43 at least 36-point type.

44 (B) The word "UNOFFICIAL" must be superimposed on the imitation ballot or sample ballot so
 45 that the word extends diagonally across the ballot from one margin of the text to the other. The

1 superimposed word may be printed in lighter ink than other text on the ballot or sample ballot.

2 (b) For purposes of this subsection, an imitation of the ballot or sample ballot includes an imi-
3 tation of a portion of the ballot or sample ballot.

4 (2) A person may not do any electioneering, including circulating any cards or handbills, or so-
5 liciting of signatures to any petition, within any building in which any state or local government
6 elections office designated for the deposit of ballots under ORS 254.470 is located, or within 100 feet
7 measured radially from any entrance to the building. A person may not do any electioneering by
8 public address system located more than 100 feet from an entrance to the building if the person is
9 capable of being understood within 100 feet of the building. The electioneering need not relate to
10 the election being conducted. This subsection applies during the business hours of the building or,
11 if the building is a county elections office, during the hours the office is open to the public, **on the**
12 **date of the election until** [*during the period beginning on the date that ballots are mailed to electors*
13 *as provided in ORS 254.470 and ending on election day at 8 p.m. or when*] all persons waiting in line
14 at the building who began the act of voting as described in ORS 254.470 [(10)] (11) by 8 p.m. have
15 finished voting.

16 (3) A person may not obstruct an entrance of a building in which ballots are issued or a place
17 designated for the deposit of ballots under ORS 254.470 [*or any voting booth maintained under ORS*
18 *254.474 is located*]. This subsection applies **on the date of the election until** [*during the period be-*
19 *ginning on the date that ballots are mailed to electors as provided in ORS 254.470 and ending on*
20 *election day at*] 8 p.m. or when all persons waiting in line at the building or location who began the
21 act of voting as described in ORS 254.470 [(10)] (11) by 8 p.m. have finished voting.

22 (4) A person may not vote or offer to vote in any election knowing the person is not entitled
23 to vote.

24 (5) A person may not make a false statement about the person's inability to mark a ballot.

25 (6) A person, except an elections official in performance of duties or another person providing
26 assistance to an elector as described in ORS 254.445, may not ask a person at any place designated
27 for the deposit of ballots under ORS 254.470 [*or at any location described in ORS 254.472 or*
28 *254.474*] for whom that person intends to vote, or examine or attempt to examine the person's ballot.

29 (7) An elections official, other than in the performance of duties, may not disclose to any person
30 any information by which it can be ascertained for whom any elector has voted.

31 (8) A person, except an elections official in performance of duties, may not do anything to a
32 ballot to permit identification of the person who voted.

33 (9) An elector may not willfully leave at any place designated for the deposit of ballots under
34 ORS 254.470 [*or at any location described in ORS 254.472 or 254.474*] anything that will show how
35 the elector's ballot was marked.

36 (10) A person, except [*an elections official*] **a member of the Oregon State Defense Force** in
37 performance of duties, may not remove a ballot from any place designated for the deposit of ballots
38 under ORS 254.470 [*or any location described in ORS 254.472 or 254.474*].

39 (11) A person, except an elections official in performance of duties or a person authorized by
40 that official, may not willfully deface, remove, alter or destroy a posted election notice.

41 (12) A person, except an elections official **or a member of the Oregon State Defense Force**
42 in performance of duties, may not willfully remove, alter or destroy election equipment or supplies,
43 or break the seal or open any sealed package containing election supplies.

44 (13) A person, except an elections official **or a member of the Oregon State Defense Force**
45 in performance of duties, may not provide elections advice or attempt to collect voted ballots within

1 any building in which any state or local government elections office designated for the deposit of
2 ballots under ORS 254.470 is located, or within 100 feet measured radially from any entrance to the
3 building.

4 (14) A person, except an elections official in performance of duties, may not establish a location
5 to collect ballots voted by electors unless:

6 (a) The person prominently displays at the location a sign stating: "NOT AN OFFICIAL BAL-
7 LOT DROP SITE"; and

8 (b) The sign is printed in all capital letters in bold 50-point type.

9 **SECTION 16. ORS 254.431, 254.458, 254.465, 254.474 and 254.478 are repealed.**

10 **SECTION 17. Sections 3 and 4 of this 2015 Act, the amendments to ORS 247.307, 254.074,**
11 **254.408, 254.415, 254.470, 254.476, 254.480, 254.482, 254.483, 254.485, 260.665 and 260.695 by**
12 **sections 1 and 5 to 15 of this 2015 Act, and the repeal of ORS 254.431, 254.458, 254.465, 254.474**
13 **and 254.478 by section 16 of this 2015 Act, first apply to elections held on or after the effective**
14 **date of this 2015 Act.**

15
