



LPRO: Legislative Policy and Research Office

VOTING IN OREGON

BACKGROUND BRIEF

This brief will provide an overview of Oregon's electoral process that includes online voter registration, Oregon Motor Voter and vote-by-mail voting system.

VOTE-BY-MAIL IN OREGON

Vote-by-mail is an election method whereby voters receive and return their ballots through the mail. This process replaces traditional polling place elections and was first approved on a limited basis in 1981, when the Legislative Assembly first authorized counties to conduct certain elections by mail. State laws passed since that time have broadened vote-by-mail, and in the 1998 general election, Oregon voters approved an initiative requiring vote-by-mail in all biennial primary and general elections, making Oregon the first state to go to a completely vote-by-mail system. During the 2000 general election, Oregon was the first state in U.S. history to determine its electoral votes for president entirely by mail.

THE VOTE-BY-MAIL PROCESS

For state elections, counties must mail ballot packets to all active registered voters between the 20th and the 14th day before an election.

The packet includes the ballot, a secrecy envelope and a pre-addressed return envelope. The voter marks the ballot and places it in the secrecy envelope that, in turn, is placed into the return envelope. The voter must then sign the return envelope for the ballot to be counted. The voter can then either put a stamp on the envelope and mail it or take it to a drop-off site designated by the County Clerk's Office within the county.

Ballots must be received by the county, either through the mail or at a drop-off site within the county, by 8:00 p.m. on the day of the election. The date on the postmark does not count. Elections officials verify the signature on the return envelope from each voter by matching it against the voter registration card signature on file with each county. County elections offices may begin scanning ballots into a vote tally system up to seven days before election day in

accordance with a security plan approved by the Secretary of State. Election officials will not release preliminary results until 8:00 p.m. on election day.

The Secretary of State's Elections Division created the "[My Vote](#)" search function on its webpage to allow any registered Oregon voter

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to track their ballot from anywhere in the world. Initially added for the purpose of enabling military and overseas voters to track when their ballot was mailed, the mailing address, and the dates when it was received at the county elections office, it is a tool accessible for all eligible voters.

In addition, 10 Oregon counties (Benton, Clackamas, Harney, Hood River, Jackson, Linn, Lincoln, Marion, Multnomah and Yamhill) are piloting the [Ballottrax](#) program, which will send participating voters text, email or voice alert reminders to vote and return their ballots, and will allow voters to see whether their ballots have been mailed, received and accepted, or are under review in the county clerk's office.

Washington and Colorado are only the second and third states in the nation to adopt legislation that moved the electoral process to an entirely vote-by-mail system. Both vote-by-mail systems are similar to the system in Oregon with one exception: Washington will count a ballot counted provided it is postmarked no later than Election Day.

HELP AMERICA VOTE ACT (HAVA) OF 2002

The Help America Vote Act was approved by Congress in October 2002 to make reforms to the nation's voting process. The HAVA requires all states to upgrade voting equipment, make voting more accessible, provide better voter education, and reduce fraud through the implementation of a central voter registration system developed and managed by each state's Chief Election Official. It includes provisions for replacement of punch card and lever voting systems, creation of centralized voter registration databases, new voter

identification requirements, access for people with disabilities and enhanced voter outreach.

MILITARY AND OVERSEAS VOTER EMPOWERMENT (MOVE) ACT

The MOVE Act is federal legislation enacted in 1986 to protect the right of service members to vote in federal elections regardless of where they are stationed. The law requires that states and territories allow members of the United States Uniformed Services and merchant marines, their family members and U.S. citizens residing outside the U.S. to register and vote absentee in elections for federal offices.

As part of compliance with the MOVE Act, the Oregon Legislative Assembly adopted legislation in 2009 and 2011 to remove barriers to electoral participation by overseas military and overseas voters. The legislation allows military and overseas voters to return their ballot via fax or to return a .pdf scanned copy of their ballot via email to the county elections office.

OREGON CENTRALIZED VOTER REGISTRATION

In accordance with HAVA, the Secretary of State's office established and maintains a statewide voter registration list through the Oregon Centralized Voter Registration (OCVR) system. The OCVR is a single, centralized, interactive and official database system with the names and addresses of Oregon's registered voters. The system includes management functions such as signature verification and ballot preparation that are necessary for a county to conduct a vote-by-mail election, and for state and local governments to validate signatures on



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petitions. In addition, OCVR includes the voter's name, address, identification number, political affiliation and voting history.

The election management functions of the system are accessible only to particular state and county personnel. The Secretary of State's Elections Division and the county clerks grant and manage access to the system to ensure the security of voter data. Any changes to an individual voter record are recorded in an audit trail that is available to system administrators. Governance of the system includes a Change Control Board which is composed of 12 county and state personnel. The Board advises the Secretary on prioritizing enhancements or changes to the system.

Prior to the establishment of OCVR, Oregon's 36 counties were responsible for the collection and storage of voter registration information. Each county stored the data differently and there was no way to aggregate voter information at the state level.

VOTER REGISTRATION

In 49 of the 50 states, an eligible citizen must be registered to vote in order to cast a vote on election day. Oregonians can register to vote in one of four ways:

- Using online voter registration;
- Returning a [voter registration form](#) via mail;
- In person at the county elections office or;
- Via contact with the Department of Motor Vehicles (DMV) (Oregon Motor Voter).

As of May 2016, there are 2,309,829 people registered to vote in Oregon. The eligibility requirements for registration are:

- Register 21 days before election day;
- Be a United States citizen;
- Be an Oregon resident; and
- Be at least 17 years of age.

ONLINE VOTER REGISTRATION

On March 1, 2010, Oregon became the fourth state in the nation to provide online voter registration. As of June 14, 2016, a total of 31 states plus the District of Columbia, offer online registration, and another seven states have passed legislation to create online voter registration systems, but have not yet implemented them.

Online voter registration systems supplement the traditional paper-based process by which new voters fill out a paper form that is submitted to election officials who confirm the registration is valid and enter the information from the paper application into the registration system.

The establishment of an online system decreases the administrative costs of elections including reduction in per-registration costs and significant cost savings in processing registrations and improves voter's access, particularly the housebound, elderly and out-of-state members of the military.

Oregonians, who are at least 17 years of age and have a valid Oregon driver's license, permit or identification card, can register to vote online at [My Vote](#). For those who register online, the signature on their driver's license, permit or ID card will serve as the signature for their voter registration card. That signature will be checked to validate mail ballots in elections.



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In addition, voters can change their address or political party affiliation online.

As with paper registrations, online registrations will require voters to declare themselves U.S. citizens. Lying on the registration form is a felony, punishable by five years in prison, a \$125,000 fine and deportation for undocumented immigrants.

OREGON MOTOR VOTER

On January 1, 2016, Oregon became the first state to automatically register eligible citizens who are not currently registered when they apply for an original, renewal or replacement license, permit or ID card through the DMV. The law, known as Oregon Motor Voter, was passed by the 2015 Legislative Assembly in order to modernize the federal “Motor Voter” law that required DMVs in most states to offer voter registration services. This opt-in model is most commonly executed by DMV employees asking citizens who are getting or renewing a driver’s license if they’d like to register to vote. Under Oregon Motor Voter, if a person is not registered to vote, they will receive a card and a pre-paid postage return envelope from the Oregon State Elections Office.

With this card, the individual will have three options:

- Do nothing, and be registered to vote as a nonaffiliated voter;
- Choose a political party by returning the card; or
- Use the card to opt-out of voter registration.

Once registered, an individual will automatically receive a ballot and instructions in the mail about two weeks before an election.

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ADDITIONAL RESOURCES

[Help America Vote Act of 2002](#)

[Vote-by-Mail Information](#)

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