

2023 Legislative Summary Brief

General Government & Elections



Digital and IT Infrastructure

TikTok is an online hosting service for short-form videos and is owned by ByteDance Ltd. Leadership at the Federal Bureau of Investigation and the Federal Communications Commission have voiced concerns about the safety and security of TikTok, and similar products, regarding user data collection and data sharing. [House Bill 3127](#) prohibits installing, downloading, or using software, hardware, or services from specified vendors onto state information technology assets, specifically TikTok and other products from ByteDance Ltd. It requires the state to remove existing installations and downloads of these products and implement all measures necessary to prevent further installation, download, or use of these products on state digital infrastructure.

See the **Business and Consumer Protection** [Legislative Summary Brief](#) for information about [House Bill 3201](#).

Elections

[Senate Bill 166](#), the elections omnibus bill, guarantees each person’s right to vote; makes changes to county election security plans; and does not allow a person to donate more than \$100 per year in physical currency. It makes other changes to elections law, including extending the dates for submitting and verifying recall petitions; adding a public records exemption for the residence address of persons living with election workers and signatures submitted on a signature sheet for initiatives and petitions; limiting the time period when political

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See the 2023 **Legislative Summary Report** for [General Government and Elections](#) which highlights policy measures that received a public hearing during Oregon’s 2023 Regular Legislative Session.

parties can request a list of electors; exempting certain costs from calculations of whether a candidate is required to file certain statements; excluding any candidate debate or forum for state office from being considered a candidate contribution if the host uses neutral criteria; and changing the notification requirements of the Secretary of State or Attorney General to when they open an investigation.

During an election, current law allows the county clerk to employ personnel to open envelopes, prepare ballots for counting, and count ballots. It also delineates the persons who may not be employed for these tasks, including family and extended family of any candidate on the ballot. [Senate Bill 53](#) adds ballot handling to the tasks allowed to be done by those personnel employed by a county clerk and adds members of the household and domestic partners of a candidate to the list of persons who may not be employed for listed tasks.

[Senate Bill 1094](#) authorizes the Secretary of State to secure federal grant dollars to fund a pilot project to provide a live video feed of rooms where ballots are counted and for official ballot drop sites.

Automatic voter registration (AVR) is a process in which eligible voters are automatically registered to vote when interacting with certain government agencies. AVR is commonly an opt-out process following interactions with state Department of Motor Vehicles (DMV) offices. In 2016, Oregon became the first state to implement AVR through the DMV. [House Bill 2107](#) expands AVR to the Oregon Health Authority as of June 1, 2026, from selected information provided to the Oregon Health Plan (Medicaid).

Ranked choice voting (RCV) requires voters to rank candidates by preference instead of voting for just one person. A candidate wins by receiving a majority of the first-preference votes cast. When there is no majority winner, this method allows for an instant runoff. The candidate with the lowest number of first-preference votes is eliminated and the second preference votes from those ballots are allocated to the remaining candidates and tabulated. This process continues until a candidate achieves a majority of the votes cast. [House Bill 2004](#) refers to the voters a measure to establish ranked-choice voting. If adopted by the people, this method would be used to elect persons for national and state offices, and local

government could use the same method, for voting conducted after January 1, 2028.

Three other measures were passed, each addressing various areas of law. First, current law prohibits a public employee from, while on the job during work hours, promoting or opposing: any political committee; the nomination or election of a candidate; the gathering of signatures on an initiative, referendum, or recall petition; the adoption of a measure; or the recall of a public office holder. [Senate Bill 168](#) replaces the term "candidate" with "person to a public office" because the term "candidate" is related to campaign finance and indicates that someone has received or spent campaign funds. It also clarifies that public employees are prohibited from promoting or opposing the appointment, nomination, or election of a person to a public office or the filing of an initiative, referendum, or recall petition while on the job during working hours or otherwise acting in the public employee's official capacity, except in certain situations where the public employee's official duties relate to an appointment required by the Oregon Constitution or state statute.

Second, [Senate Bill 585](#) allows an otherwise qualified person, who registers to vote as a member of a major political party on or before the precinct committee person candidacy filing deadline, and who becomes a United States citizen 251 or fewer days before the primary election, but before the candidacy filing deadline, to file a declaration of candidacy to become, and to be elected as, a precinct committee person.

And finally, [House Bill 3073](#) limits the public accessibility of a candidate's residence address listed on a nominating petition or declaration of candidacy, and the residence address of a candidate or elected official on the list of registered voters. Current law allows any person to request a list of registered voters, which may include a registered voter's name, party



affiliation, residence or mailing address, and precinct name or number.

General Government

This section contains measures that affect general state and local government operations, programs, or services.

Oregon's public meetings law generally requires that meetings of governing bodies, or when a majority of its members are gathered in person or electronically and are discussing matters that are or may be before them, must be open to the public at accessible locations with appropriate notice of the time, place, and topics to be considered. Governing bodies must provide a sound, video, or digital recording or written minutes for all meetings within a reasonable time. Executive sessions, where the public is not allowed to participate, are permitted on certain matters defined in statute. No decisions can be made in executive session.

Complaints related to executive session violations are made to the Oregon Government Ethics Commission (OGE). Decisions made by a governing body that meets in violation of public meetings law can be voided if an affected person sues in circuit court.

[House Bill 2805](#) clarifies in statute when the use of serial electronic written communication or the use of another person to communicate by and between members is considered a meeting subject to public meetings law requirements. The measure gives the OGE the authority to conduct investigations, make findings, and impose penalties for violations of public meetings law like it does for executive session violations.

Other changes made this session to Oregon's public meetings law include:

- executive department boards and commissions whose members are Senate-confirmed must record and promptly publish meetings held by

telephone or electronic means on a publicly accessible website or hosting service ([Senate Bill 11](#));

- OGE may proceed on its own motion, as though it received a complaint, if it has reason to believe that a public body conducted meetings in violation of executive session requirements ([Senate Bill 207](#)); and,
- governing bodies may meet in executive session to discuss safety, security, and cybersecurity issues ([House Bill 2806](#)).

The Oregon Family Fairness Act created domestic partnerships in 2007 for adult couples of the same sex. The U.S. Supreme Court has since ruled that couples of the same sex are also entitled to marry. [House Bill 2032](#) expands the eligibility for domestic partnership to partners of any sex, which allows all adult couples to choose marriage or domestic partnership.

Current law requires elected officials, candidates, and certain appointed state officials to file a statement of economic interest (SEI) each year with the OGE. SEI statements due in 2024 will need to include additional information about business sources of income and sources of income for all names under which the filer does business under [House Bill 2038](#).

A public bank is operated by a state or local government for public purposes. Only North Dakota currently has a state public bank, which was legislatively created in 1919. [House Bill 2763](#) (*not enacted*) would have established a task force to study the creation of a state public bank. Governor Kotek vetoed the bill.

Oregon law sets the requirements for legal notices in newspaper publications and radio and television broadcasts. For newspapers, notices are published in any newspaper, as defined by statute, that is published within the county, city, district, or jurisdiction where the action, suit, or other proceeding will happen. If no newspaper qualifies, notice must be given in the nearest



newspaper or any publication published at least once a month in the county, city, district, or jurisdiction. [House Bill 3167](#) changes the statutory definitions to allow the publication of legal notices in both printed newspapers and digital newspapers that meet certain criteria, including the number of subscribers and the production of local news where at least 25 percent is locally and originally composed, regardless of where the newspaper is produced or printed. The bill also allows the publication of notices in certain situations where the newspaper recognized as best suited ceases to operate, and no suitable alternative exists.

The [Legislative Commission on Indian Services](#) was created by the Legislative Assembly in 1975 to improve services to Indians in Oregon by compiling and sharing information about services; making needs and concerns known to the public and private agencies whose activities affect Indians; encouraging public and private agencies to expand and improve services to Indians; assessing state agency programs operating for the benefit of Indians; and regularly reporting to the Legislative Assembly. [House Bill 3173](#) continues this policy and promotes communication between the state and the nine federally recognized Indian Tribes in Oregon, by creating the task force on Tribal consultation to identify and clarify the requirements of state agencies to engage in tribal consultation.

Legislative Assembly

This section contains measures that changed the operations or actions of the Legislative Assembly.

During the interim, the Legislative Assembly may form three types of bodies: interim committees, task forces, and workgroups. Oregon law allows the Senate President and the Speaker of the House of Representatives to appoint individuals, other than members of the Legislative Assembly, to serve on interim

committees and to appoint a chairperson. Task Force membership is delineated in enabling legislation that may identify a chair. Workgroup membership does not require legislation. [Senate Bill 661](#) prohibits a lobbyist, except a public official who lobbies, from serving as the chairperson of those entities, if they are staffed by nonpartisan staff.

Article V of the United States Constitution establishes methods for proposing and adopting amendments to the United States Constitution. One method involves Congress calling a convention for proposing amendments upon application of the legislatures of two-thirds of the states. The Legislative Assembly has submitted applications on various topics, however, no application, has met the two-thirds threshold. [House Bill 3625](#) withdraws all previous applications for an amendment convention and declares those applications null and void, and [House Joint Memorial 3](#) informs Congress of that action.

Each legislative session, the Legislative Assembly adopts a resolution that establishes deadlines for and any limits on the number of measures that may be drafted for the subsequent session. [House Concurrent Resolution 38](#) establishes the deadlines and limits for the 2024 session.

Property and Securities Administration

Property owners have been able to appeal the value on which their property tax is based since 1907. County boards of property tax appeals were created in the 1990s to hear petitions for the reduction of the real market, maximum assessed, specially assessed, and assessed property value by the county assessor. [House Bill 2031](#) renames the “Board of Property Tax Appeals” to “Property Value Appeals Board” as of July 1, 2024, to more accurately describe their function.



Securities are stocks, investments, or other financial arrangements through which an investor provides money to a second party, usually a company, expecting the investment to accrue in value. The Department of Consumer and Business Services (DCBS) licenses and registers people and entities that offer and sell securities or offer investment advice in Oregon. [House Bill 2274](#) authorizes DCBS to impose civil penalties in cases where an injured investor is vulnerable and to order restitution. The measure also authorizes DCBS to make inquiries as part of securities oversight.

The term “unclaimed property” can refer to assets, such as bank accounts, stocks, annuities or uncashed checks, for which the rightful owner cannot be identified or located. Such assets are often held by government entities or businesses and must be reported to the Oregon State Treasury within one to three years, after which it is held in the Common School Fund until claimed. [House Bill 2160](#) specifies that unclaimed securities are considered abandoned after the earlier of three years or the death of the owner. The measure also specifies wages declared unclaimed can still be contested, that payment may not be made to beneficiaries unless they are at least 21 years of age, and outlines requirements for holders of abandoned securities and distributions.

Public Administration

This section contains measures that changed certain state government operations.

Many state boards and commissions have membership requirements based on the number of congressional districts. Oregon was apportioned a sixth congressional district through the 2020 Census. [Senate Bill 1095](#) provides guidance to boards and commissions, whose governing body is based in whole or in part on congressional districts, to account for the increase. It also adjusts membership on the

Oregon Growth Board, Early Learning Council, and Oregon Liquor and Cannabis Commission to accommodate the increase in the number of congressional districts. These changes were to be immediately effective. Governor Tina Kotek vetoed the emergency clause to allow the Executive Branch more time to recruit and vet potential appointees and allow Senate confirmation of such appointees.

Oregon Health and Sciences University (OHSU) operates the Oregon National Primate Research Center (ONPRC), the only primate research facility in the state, in Beaverton. Several federal agencies, including the U.S. Department of Agriculture and the Food and Drug Administration, oversee the ONPRC, which includes regular facility inspections and reporting and recordkeeping requirements. However, no state agency requires such reporting. [House Bill 2904](#) requires OHSU to annually publish data and reports regarding research and other activities of the ONPRC on a publicly accessible website.

Under current law, the State Treasurer, Deputy State Treasurer, chief of staff for the office of the State Treasurer, and the directors of the Investment, Cash Management, and Debt Management divisions must file a quarterly trading statement listing all stocks, bonds, and other types of securities purchased or sold during the preceding quarter. [House Bill 2159](#) requires the State Treasurer to establish a supplemental quarterly statement of investment activity that includes holdings and transactional data and is based on best practices and federal disclosure requirements for investment advisors. The bill also requires more Treasury employees to file this supplemental statement.

Vessels are often abandoned without authorization and/or derelict on public or private land or state waters. Vessels are considered derelict if they are either sunk or in dilapidated condition. They can pose hazards to both navigation and the environment, endangering life and property and negatively impacting water



quality. State law empowers agencies with the responsibility over the land or water where an abandoned or derelict vessel is located to seize such vessels with or without notice, depending on the hazard level. There are scores of known commercial and private abandoned vessels throughout the state. [House Bill 2914](#) establishes the Oregon Abandoned and Derelict Vessel Program within the Department of State Lands and a Fund within the State Treasury to address abandoned and derelict vessels to ensure proper management of state-owned submerged and submersible lands.

The Office of Administrative Hearing's (OAH's) role is to provide an independent and impartial forum for citizens and businesses to dispute state agency actions against them. The OAH is headed by a chief administrative law judge (chief ALJ) who the Governor appoints to serve a term of four years. [House Bill 3141](#) makes the appointment of the chief ALJ by the Governor subject to Senate confirmation, changes the chief ALJ qualification requirements, and directs the Employment Department to conduct a public candidate search, recruitment, and application process to assist the OAH Oversight Committee in making appointment recommendations to the Governor.

Public Employee Benefits and Compensation

The Public Employees Retirement System (PERS), overseen by the five-member PERS Board, provides retirement benefits for state agencies and approximately 900 units of local governments, and it serves more than 393,000 active, inactive, and retired members and their beneficiaries. [House Bill 2283](#) addresses a broad range of topics that amend, clarify, and align existing PERS statutes to support an agency-wide modernization effort.

Among minor changes to existing PERS law, HB 2283 expands beneficiary provisions for members who did not designate a beneficiary

before their death, or for members whose beneficiary did not survive the member. It removes the requirement that members who accrue retirement credit for periods of disability have at least ten or more years of retirement credit and become disabled by reasons of injury or disease while in the actual performance of duty. It prohibits participating employers from changing or modifying data provided to PERS after disputes unless court ordered or if modifications are needed from dispute resolution and provides for expedited review of the Act by the Supreme Court upon petition by adversely affected parties.

Public employees receiving PERS benefits qualify for certain retirement benefits based on their date of hire. PERS members hired before January 1, 1996, are in Tier One, and those hired after that date and before August 28, 2003, are in Tier Two. Public employees hired after August 28, 2003, are members of the Oregon Public Service Retirement Plan. [House Bill 2283](#) requires PERS to provide estimates to surviving spouses regarding alternative pre-retirement death benefits for Tier One or Tier Two members. It also increases the time allowed for a bereaved spouse of Tier One or Tier Two members to elect death benefit alternatives.

The Police and Firefighter (P&F) unit is a special designation for Tier One or Tier Two PERS members who are police officers or firefighters. [House Bill 2283](#) extends the time a P&F unit can purchase retirement credit to up to 90 days following retirement and revises the eligibility for retirement to after 60 months of retirement credit. It stipulates that a P&F unit retains eligibility once established even if member performs service thereafter only in a non-police or non-firefighter position. The measure clarifies that unpaid leave, including periods where the member receives short-term or long-term disability insurance payments, taken by a P&F unit does not require a restart of last 60 months of retirement credit.



Additional measures related to public employee benefits adopted this session include [House Bill 2284](#), which increases fees the PERS Board may charge in connection with alternative payees required by divorces, dissolutions of marriage, and other settlement agreements. [House Bill 2296](#) extends the sunset date that allows retired PERS members to be reemployed by participating public employers for an unlimited number of hours without a reduction in pension benefits, if the administrative head of the public employer is satisfied the employment is in the public interest (established by [Senate Bill 1049](#) [2019]). [House Bill 2054](#) allows deputy district attorneys to qualify for police officer and firefighter unit benefits under Tier 1 and Tier 2 of PERS on the bill's effective date.

Several measures related to benefits and compensation for Oregon State Police were considered in this legislation session. [Senate Bill 195](#) (*not enacted*) would have exempted overtime hours worked for the Oregon State Police (OSP) from overtime hours limitation in final average salary calculations for PERS. [Senate Bill 403](#) (*not enacted*) would have allowed retired members of the OSP to participate in a group health benefit plan offered by the Public Employees' Benefit Board without increasing premiums. [House Bill 2875 A](#) (*not enacted*) would have allowed 600 hours in a calendar year of overtime for calculating the final average salary for retirement and benefits for OSP.

Measures that addressed specified job classes in PERS were deliberated, including [House Bill 2701 A](#) (*not enacted*), which would have created a definition for "hazardous position" in statute to mean Oregon State Hospital employees with direct contact with patients and 9-1-1 telecommunicators. This benefit group would have been allowed a lower retirement age, normal retirement age, and increased pension benefits. [House Bill 2448](#) (*not enacted*) would have required the Department of Administrative Services to review and update classification and

compensation plans for individuals employed by community developmental disabilities programs or support services.

Public Records

The Legislative Assembly passed several measures changing Oregon's public records laws. This section describes those measures.

The Public Records Advocate (PRA) office is an independent office that, among other duties, provides training to state agencies and local governments about requirements and best practices for processing and responding to public records requests. To attain sustained funding for the PRA, [Senate Bill 510](#) directs the PRA to estimate its biennial costs to carry out its duties and assess those costs to public bodies in state government.

Each state agency or political subdivision must maintain a public record or an accurate copy of a public record, if it has certain values or purposes. [House Bill 2112](#) adds tribal cultural purposes to considerations for appraising public records for retention and updates references to obsolete technology.

Several measures exempt certain information from public disclosure. [House Bill 2490](#) exempts sensitive information regarding cybersecurity plans, devices, and systems. [House Bill 3111](#) clarifies that the personal information of employees and volunteers of a public body is exempt, regardless of the type of record, and exempts the personal information of employees and retirees maintained by PERS or another retirement system operated by a public body. [House Bill 3171](#) exempts communications from a mass transit district employee to a peer support counselor.



Resolutions Proposing Constitutional Amendments

The Legislative Assembly adopted two proposed constitutional amendments, which will go to voters in November 2024. Under [Senate Bill 28](#), a joint legislative committee will prepare the ballot title and explanatory statement for these referrals and for [House Bill 2004](#) (see [Elections section](#)).

[House Joint Resolution 16](#) proposes an amendment to allow the impeachment of the governor, secretary of state, treasurer, labor commissioner, and attorney general by the House of Representatives and Senate for malfeasance or corrupt conduct in office, willful neglect of statutory or constitutional duty, or other felony or high crime. Oregon is the only state without impeachment processes for the governor and some state executive or judicial officers.

Under current law, the salary of statewide elected officials, legislators, and judges is set by statute, and the Legislative Assembly must pass legislation to change those amounts or adopt budgets to fund those salary amounts. [Senate Joint Resolution 34](#) proposes an amendment to establish the Independent Public Service Compensation Commission to determine those salaries and that funds be appropriated from the General Fund for such salaries.

The Legislative Assembly also heard but did not refer [Senate Joint Resolution 33 A](#) (*not enacted*), which would have proposed a Constitutional amendment to provide examples under the existing constitutional guarantee of equal rights and repeal the constitutional provision legally recognizing only marriages between one man and one woman.

Staff

Melissa Leoni, Legislative Analyst

Leslie Porter, Legislative Analyst

Legislative Policy and Research Office

Oregon State Capitol | (503) 986-1813 | www.oregonlegislature.gov/lpro

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