

Chapter 247

1955 REPLACEMENT PART

Qualifications and Registration of Voters

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247.010 Registration of all electors required; county clerk to procure materials and clerical assistance needed for registration; payment of expenses. (1) Every elector shall register.

(2) The county clerk shall procure the necessary materials and clerical assistance for registering electors. The county court or board of county commissioners shall order to be paid out of the county treasury the reasonable and necessary expenses so incurred by the clerk.

(3) The county clerk shall procure and furnish application blanks, instructions and other material and clerical assistance necessary or convenient in reregistering voters under ORS 247.180 to 247.200. The county court or board of county commissioners shall order to be paid out of the county treasury the reasonable expenses incurred by the clerk under ORS 247.180 to 247.200.

247.020 Form and manner of keeping the register of electors. In registering electors the county clerk shall use the card index system. The official registration card shall be made from stock of quality that will last indefinitely. The cards shall be four by six inches in size, printed and ruled in substantially the following form:

Surname	Given Name	Party
Male—	Female—	P.O. Address—
(where mail received)		
Precinct—	Residence—	Room No.—
(Sec., Twp. and Range, Street and No. if in city)		
Have resided or will have resided in the State of Oregon continuously for a period of six months at the following place or places		
Parents' full names—		
Where born (city, county, state or country)		
Spouse's name—		
Naturalization Record (Final or Second Papers) —		
Date—	City and State—	
Name of Court—		
Self —		
Husband —		
Father —		

I declare under the penalties provided by law that I am a citizen of the United States and a qualified elector over 21 years of age, and that the statements made by me and

herein entered as to my qualifications as an elector are true and I am in good faith a member of the party with which I have registered.

WARNING: Any person who makes any false statement herein is guilty of false swearing and, upon conviction, shall be punished by a fine not exceeding \$5,000, or by imprisonment in the county jail not exceeding two years, or both.

Signature of Elector _____

Attest: _____, 19____

County Clerk

Official Registrar

By _____

Deputy

(Erase titles to suit)

The cards shall be punched with a hole five-sixteenths of an inch in diameter, in the middle of the bottom side and the bottom of the hole shall be three-eighths of an inch from the bottom of the card. The clerk shall arrange the cards for each precinct in alphabetical order according to surname. The precinct groups shall be arranged in alphabetical or numerical order. The cards shall be known as the register of electors. They shall be public records and shall be kept in the office of the clerk as other public records are kept. [Amended by 1955 c.695 §1]

247.030 Registration of elector; registration information entered on cards; naturalized citizens exhibit papers. Every elector may be registered without charge by personally appearing in the county clerk's office and stating the following facts:

(1) Full name of elector and sex.

(2) Postoffice address.

(3) Name or number of precinct.

(4) Residence of the elector, which, if in the country, shall include the section, township and range, or if in the city, the street, number, room number, if any, or other information definitely locating the elector's residence. Also, state the time next preceding the date of registration he has resided in the State of Oregon.

(5) Place of birth.

(6) Parents' full names and spouse's name.

(7) Whether naturalized and if so the elector must exhibit final citizenship papers or an authenticated copy of certificate thereof, made by the proper officer of the court

where the papers were issued and showing the time, place and court of naturalization. Persons already registered in the county as fully naturalized citizens shall not be required to exhibit their citizenship papers.

(8) His answers concerning party affiliation in response to inquiries made pursuant to ORS 247.110.

The clerk shall enter this information in permanent writing or typewriting on the official registration card of each elector, require him to read the declaration as to the truth of his statements, also the warning as to penalties, printed thereon and then, if satisfied the elector is qualified, require him to sign his signature thereto. If the elector is registered by the clerk in person, the clerk shall sign his name in attestation. If the elector is registered by a deputy or an official registrar appointed pursuant to subsection (1) of ORS 247.080, then, in addition to the name of the clerk, the particular deputy or official registrar actually registering the elector shall sign his name in attestation. [Amended by 1955 c.695 §2]

247.040 Elector required to be able to read and write English; tests. If a registration official has reasonable cause to suspect that an applicant is unable to read and write English or if the applicant is challenged by an elector upon such grounds, then the applicant shall not be permitted to register at any state, county, town or district election unless he is able, except for physical disability, to read and write English. This shall be determined by requiring him to read approximately 50 words from the official compilation of the Oregon election laws to be designated by the registration officer. A test, to determine his ability to write English, shall be imposed by requiring the applicant to write not more than 10 words, which shall be selected from the election laws as aforesaid. No county clerk, deputy county clerk or registrar shall refuse to require the tests provided in this section to be made when objection to the registration of an applicant has been made in the manner provided.

247.050 Time for registering; mandamus available to elector wrongfully refused; additional municipal registration. (1) The county clerk shall register any qualified elector who requests to be registered. However, he shall refuse to register any elector during 30 days next preceding any general or primary election or any special election held

throughout the county. If the special election is not held throughout the county, he shall not register any electors residing in any precinct in which the special election is to be held during the 30 days next preceding the special election.

(2) Any elector who completes his residence or attains the age of 21 years during the period when the registers are closed may register during a period of 30 days next preceding the closing of the registers for the election at which he desires to vote. The clerk shall indorse upon the registration card in red ink these words: Qualified to vote—— [month] [day] —— [year]——.

(3) If the clerk wrongfully refuses to register an elector, the elector may proceed by mandamus against the clerk.

(4) This chapter shall not operate to prevent any additional registration required by the charter or ordinance of any incorporated city or town.

247.060 Certificate of registration for electors changing residence when registers are closed. Any elector who changes his residence within the county in which he is registered during the period in which the registers are closed may procure from the county clerk of his county a certificate of his registration. On a request by the elector stating in which precinct he is registered, the clerk shall make a certificate under seal of the county court. Upon delivering to the election officials the certificate of registration and by subscribing an oath before one of the judges of the election board, stating his present residence and that he has removed to this residence since the close of the registration books, the elector may be permitted to vote in the precinct in which he resides. This certificate shall be subject to challenge as is the voters list under ORS 250.350. It shall be invalid for all purposes after the next general, primary or special election following the day of issue. It shall be sealed and returned to the clerk in a separate package as other election matter is transmitted.

247.070 [Reserved for expansion]

247.080 Appointment and duties of official registrars; registration of sick or absent voter. (1) The county clerk of each county shall appoint ample official registrars. They shall have jurisdiction in one or more precincts as the clerk shall designate.

They shall have power to administer oaths for the purposes provided in this chapter. Each registrar shall establish and maintain a fixed place, conveniently located, for the registration of voters. He shall, so far as practicable, acquaint the public with the location and facilities available for registration and the ease and convenience with which it may be accomplished. No registrar shall conduct any canvass for the purpose of securing registrations. Registrars shall qualify by subscribing to the usual oath of office. They shall hold office at the pleasure of the county clerk, but not beyond the term for which the clerk was elected. The county court or board of county commissioners shall make the final decision if ample facilities are not provided for such registration and the county clerk has denied a request for additional facilities. Such request shall be signed by not less than 25 resident taxpayers of the county and presented to the county court or board of county commissioners.

(2) Electors may register without charge before any registrar in the county or the county clerk. The registrar shall receive, unless otherwise provided in this section, 10 cents for registering each voter residing outside of a city that is a county seat. This sum is to be paid by the county court. Any elector who, by reason of illness, is prevented from personally appearing before any county clerk or registrar for registration, may apply to any official registrar for permission to register at his place of abode. This application shall be accompanied by a fee of 25 cents and a sum equal to 10 cents per mile for the distance the registrar will necessarily travel in registering the elector. It shall then be his duty to register the elector at his place of abode. Electors absent from their county may register before any notary public or county clerk in the county where they may be. In such case the notary public or county clerk shall mail the affidavit of the elector to the clerk of the elector's county and may collect from the elector a fee not to exceed 25 cents. Any electors absent from the state upon business of the state or the United States may register by subscribing to the affidavit required of a resident elector before a notary public and mailing it to the clerk of the county in which the elector claims his residence.

247.090 Supplies for and instruction of registrars; transmission of registrations to

clerk; rejection of registrations by county clerk. The county clerk shall furnish the official registrars of his county with necessary supplies and instruct them in their duties. The notary public or official registrar shall at the end of each week mail all registrations made by them to the county clerk. He may reject the registration made by any notary public or official registrar of any elector whom he determines to be disqualified or who has not stated the facts required. The elector may appeal from his determination to the circuit court.

247.100 Office hours of county clerk on last day for registration. On the last day for registration of electors, including Saturday, the county clerk in all counties shall keep his office open for registration of electors from the time the office is opened in the morning continuously until 8 p.m.

247.110 Elector to declare party affiliation when registering. Every elector shall be asked by the clerk or other registering officer of what political party or voluntary political organization he is a member. The elector shall answer this question if he wishes to take part in making the nominations of any political party, as defined in ORS 248.010. His answer shall then be entered in the register in the column headed "Remarks." If the elector answers that he is not a member of any political party or voluntary political organization, the registering officer shall enter this fact in the column headed "Remarks." If he declines to answer, the officer shall enter the refusal. In making entries in the register, it shall be sufficient to designate the political party by the first syllable of the first word of its name, as "Rep." for republican, "Dem." for democrat, "Soc." for socialist, "Pro." for prohibition, "Ind." for independent, and "Non." for nonpartisan or no party.

247.120 Party affiliation not to be changed during certain periods. No law pertaining to registration of electors for a primary election shall be construed so as to permit an elector to change his party affiliation on the day of a general primary election or within a period of 30 days immediately preceding a primary election. No county clerk or official registrar shall reregister an elector for the purpose of changing his party affiliation on election day or within 30 days immediately preceding a general

primary election. [Amended by 1955 c.695 §3]

247.130 Challenging applicants for registration. It shall be the duty of registering officers or electors present to challenge any person offering to register whom he knows or suspects to be unqualified as an elector. The person challenged shall answer fully any questions touching his qualifications which are asked by the registering officer. If he refuses to answer any of these questions, the registering officer shall not register him. His qualifications shall be determined in the first instance by the registering officer from the evidence before him. If he finds the applicant disqualified to vote at the next election he shall reject the application, but if he finds him qualified he shall register him. If rejected, the name and place of alleged residence of each applicant for registration and the date rejected shall be entered in a separate list kept by the registering officer for each precinct.

247.140 Comparison of poll books with register and cancelation of registration of nonvoting electors. Within 30 days after each regular biennial election, the county clerk shall compare the poll books of all general, primary and other elections held throughout the county during the previous two years with the register of electors. If it appears that anyone is on the register who has not voted in at least one election during that period, the clerk shall remove his card from the register of electors. The cards removed shall be retained for two years and may then be destroyed. The clerk shall notify any person whose card is removed, by sending a notice to his postoffice address appearing on the card within 10 days from the time it is removed. The notice may be substantially in the following form:

It appearing from the poll books that you have not voted in _____precinct at any election held throughout this county for the period of two years, you are notified that in pursuance of the law your registration will be canceled unless you appear at the office of the county clerk within 90 days from the date of this notice and sign a statement to the effect that you are still a resident and legal voter in the precinct, or sign and return the within registration card containing a like statement.

If the elector appears at the clerk's office within the 90 days and signs a statement on the back of his registration card that he is still a resident and legal voter in such precinct, or signs the statement on the back of the card and returns it, then the card shall be replaced in the register of electors. If this is not done the clerk shall permanently cancel his registration.

247.150 Registration not to be canceled while elector is in Armed Forces. Notwithstanding ORS 247.140 or any other statute, no person's registration shall be canceled, nor shall he be deprived of his right to vote at any election by reason of the removal of his name from the register of electors, during any period that he is serving in the Armed Forces of the United States of America or any one of our allies.

247.160 Removal of aliens from register of electors; provision for proof of citizenship and reinstatement. (1) The county clerk shall remove from the register of electors the names of all persons who appear by the registration records of his office not to be citizens of the United States and whose names now appear on the register.

(2) All persons whose names are removed from the register of electors shall be notified in writing by the county clerk. The notice shall be sent to the person at his postoffice address appearing on the register of electors. If any of these persons can and do prove to the clerk that they are in fact citizens of the United States, they shall be entitled to reregister as voters.

(3) The clerk in each county in the state shall open the register of electors for a period of not less than 15 days before any primary election, or 30 days before any special or general election, to enable all persons whose names were removed and who prove that they are citizens of the United States to reregister.

247.170 Conditions necessitating, and procedure for, reregistration. (1) As long as an elector resides in the precinct in which he registers, and votes in at least one election held throughout the county within the biennial election period ending on November 30 following the regular biennial general election, he shall not be required to register again. If the elector fails to vote as stated above, he shall reregister, except as other-

wise provided in ORS 247.140. If the elector removes to another precinct or to another county in this state, or if he desires to change from one political party to another, or if the name of the elector is changed by marriage, the elector may register again at his request. If boundaries of the precinct are changed, the clerk shall place the registration card in the files of the proper precinct in which the elector resides, give the registration card the proper precinct number or name and so notify the elector.

(2) On the back of the reregistration card, the elector shall cause his former registration to be canceled, in substantially the following form:

Registration Blank B
(To be used when reregistering)
I request that my previous registration
in _____ precinct in _____ County,
Oregon, be canceled for the reason that

(Signature of elector)
Witness: _____ (Signature of officer)
_____ (Official title)

Note—State reason for requesting cancellation of registration. A voter in reregistering must sign blank B in addition to the form on the other side.

If reregistration is in another county, blank B shall be executed on a separate card and mailed by the county clerk where the elector is reregistering to the county clerk where the elector formerly registered. Official registrars and election boards before whom reregistrations are made shall send both cards to the county clerk where the elector reregisters.

247.180 Additional method of reregistering electors provided. If a registered elector has changed his residence within the county in which he is registered, or if the name of a registered elector has been changed by marriage, the elector may reregister in the manner provided in ORS 247.180 to 247.200. The manner of reregistration provided by ORS 247.180 to 247.200 shall be in addition to any other provided by law. Any reference in ORS 247.180 to 247.200 to the county clerk, including references in forms, shall be deemed a reference to the registrar of elections in those counties where the registrar of

elections performs the functions of the county clerk in connection with elections.

247.190 Application form for reregistration. An application for reregistration pursuant to ORS 247.180 to 247.200 may be mailed or delivered to the county clerk at any time during which any qualified elector may appear in person and register. The application shall be substantially in the following form:

APPLICATION FOR REREGISTRATION

Date: _____
To: County clerk of _____ County, Oregon.
Sir: My registration card shows my name
and residence are as follows:

_____ of _____,
(Name A) (Residence: Sec., Twp. (City)
and Range; or Street
and No., if in city, and
Room No., if any)

You are advised that my present name
and residence are as follows:

_____ of _____,
(Name B) Residence: Sec., Twp. (City)
and Range; or Street
and No., if in city, and
Room No., if any)

and you are requested to alter my registration card and the register of electors accordingly.

I declare under the penalties provided by law that statements herein made are true.

(Signature corresponding
to Name A above)

(Signature corresponding
to Name B above, if different from Name A)

WARNING:

Any person who makes any false statement hereon shall be deemed guilty of false swearing and upon conviction shall be punished by a fine not exceeding \$5,000, or by imprisonment in the county jail not exceeding two years, or both.

247.200 Procedure for reregistration.

(1) Upon receiving an application for reregistration mailed or delivered to him at any time during which any qualified elector may appear in person and register, the county clerk shall cause the signature corresponding to Name A on the application to be compared with the signature on the official registration card of the applicant. If the sig-

nature appears to be that of the registered elector, the clerk shall take such steps as are necessary and proper to alter the elector's registration card, the register of electors and the voters' lists for subsequent elections to conform to the application. The clerk shall preserve the application for a period of one year if the applicant is reregistered. The clerk promptly after reregistering the applicant shall execute and mail to him at his present address a notice of reregistration substantially in the following form:

NOTICE OF REREGISTRATION

To:.....
(Name)

You are advised that your registration card and the register of electors of..... County have been altered pursuant to your request dated; and your name, residence and precinct now appear on your registration card and in the register of electors as follows: of
(Name)

(Residence: Sec., Twp. (Precinct) (City) and Range; or Street and No., if in city, and Room No., if any)

Signed.....
(County Clerk)

(2) If the clerk, upon the comparison of the signatures, is not satisfied that the signatures are those of the same person, he shall mail to the applicant, at his address on the application, a notice directing him to appear, on a date not less than 10 days from the date of the notice, at the office of the clerk to answer questions necessary to determine his eligibility to be reregistered. If the applicant fails to appear at the time and place directed, he shall not be reregistered as requested in his application.

247.210 Lists of registered voters for use of Secretary of State to be compiled. (1) When an elector reregisters, changes his residence within the county in which registered or removes from one county to another and such reregistration or removal involves a change of name, postoffice address or political party, or when the registration has been canceled by death, the county clerk of the county wherein the registration is so changed or canceled shall report this to the Secretary of State, with the regular weekly reports of registrations as provided in ORS

255.060. The reports shall be made on blanks provided by the Secretary of State especially for canceled registrations. They shall contain the name, postoffice address and political party of the elector as it appeared before change or cancelation. Whenever any change of name, postoffice address or political party is so made by an elector on account of reregistration or removal, the registration as it appears after the change shall be included in the weekly report to the Secretary of State, the same as though it were an original registration, by the county clerk of the county in which the elector is then registered.

(2) On or before June 1 of the year following each regular biennial general election, the Secretary of State may transmit a list of all registered voters of any county to the county clerk. The clerk shall immediately check the list with the registration records of his office. If he finds any errors in name, postoffice address or political party or as to registrations omitted or that should be canceled, he shall correct these errors in a legible manner and return the corrected list to the Secretary of State within 60 days from the date of its transmittal to him. The Secretary of State may, at any time prior to an election, transmit to the postmaster of any postoffice a list of names of voters who, according to the registration records, receive their mail at such postoffice, with the request that the postmaster correct the list by eliminating from it the names of those persons who no longer receive their mail at such postoffice. The registration records and files of the Secretary of State may be revised to conform to the corrected list.

247.220 Privileges as an elector forfeited upon conviction of a felony. Every person convicted of a felony forfeits his privileges as an elector. He shall thereafter be prohibited from exercising any privileges of an elector until such privileges are restored.

247.230 Procedure for restoring privileges as an elector. (1) At the end of one year after full satisfaction of any judgment based upon conviction of a felony, the convicted person who has forfeited his privileges as an elector by reason of the conviction and who has conducted himself since the conviction as a good law-abiding citizen may apply in writing to the Governor of Oregon for the restoration of the privileges of an elector. The application shall be filed

by the applicant with the State Board of Parole and Probation.

(2) The board shall immediately investigate every application and ascertain whether or not the applicant since conviction has conducted himself as a good law-abiding citizen. After making such investigation the board shall report its findings to the Governor. Upon receiving the report, the Governor may issue to the applicant a certificate restoring all privileges of an elector.

(3) Every applicant whose application is denied may apply again at the end of one year after the date of the denial.

247.240 Rules of procedure for restoring privileges. The State Board of Parole and Probation shall promulgate the rules of procedure necessary or advisable to carry out the provisions of ORS 247.220 and 247.230.

247.250 Voter's precinct memorandum card. The clerk or registrar of elections of each county may cause to be prepared voters' precinct memorandum cards for each registered voter. The precinct memorandum cards shall be approximately 3½ inches by 2½ inches in size and shall be in the following form:

Voter's Precinct Memorandum Card
State of Oregon
_____County

Name

Address

Precinct: _____

You must reregister if: You have moved to another address; you have failed to vote in the two previous elections; you wish to change parties; you have changed your name.

County Clerk or Registrar of Elections

Date _____

This card is for memorandum purposes only.

[1955 c.552 §1]

247.260 Issuance of card. (1) The county clerk or registrar of elections in any county may issue a voter's precinct memorandum card, duly signed, to every elector registered in accordance with this chapter. If issued, the voter's precinct memorandum card shall conform to ORS 247.250.

(2) In the case of reregistrations the elector shall forfeit any precinct memorandum card possessed by him and may be issued a new one by the county clerk or registrar of elections.

(3) A new card may be issued to each elector who has lost his card and who makes a declaration to that effect to the county clerk or registrar of elections. [1955 c.552 §2]

247.270 Defacing card. No person shall intentionally deface, alter or change any voter's precinct memorandum card other than as provided by ORS 247.250 to 247.270. [1955 c.552 §3]

247.990 Penalties. (1) Violation of ORS 247.040 is punishable, upon conviction, by a fine not exceeding \$500 or by imprisonment in the county jail not exceeding six months, or both.

(2) Any person who makes a false statement on his registration under ORS 247.020 to 247.050, or his application for reregistration under ORS 247.180 to 247.200 shall be guilty of false swearing and, upon conviction, shall be punished by a fine not exceeding \$5,000, or by imprisonment in the county jail not exceeding two years, or both.

(3) Violation of ORS 247.270 is a misdemeanor. [Amended by 1955 c.695 §4; subsection (3) enacted as 1955 c.552 §4]

CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.
Done at Salem, Oregon,
on October 15, 1955.

Sam R. Haley
Legislative Counsel

