

Chapter 247

1993 EDITION

Qualification and Registration of Electors

GENERAL PROVISIONS

- 247.002 Definitions
- 247.005 Policy
- 247.007 When ballot considered legally cast; when vote counted; prohibition on voting more than once in same election
- Note Modification of certain laws for purposes of National Voter Registration Act—1993 c.713 §38

REGISTRATION

- 247.009 Qualification to vote in political subdivision
- 247.012 Method of registering or updating a registration; when registration occurs; minimum registration information required; temporary registration; registration locations
- 247.013 Where person considered registered; change of residence address between counties; registration updates; when registration considered active or inactive
- 247.014 Transfer of voter registration information by Department of Transportation
- 247.015 Other registration procedures
- 247.017 Voter registration at certain Department of Transportation offices
- 247.025 Registration deadline
- 247.028 Use of certificate of registration
- 247.035 Rules to consider in determining qualifications of a person to register or vote
- 247.038 Registration of homeless persons
- 247.121 Required registration information; retention of registration cards
- 247.125 Alteration of registration card prohibited; exceptions
- 247.171 State and federal voter registration cards; Secretary of State approval of voter registration application forms of voter registration agencies
- 247.174 Determining if person qualified to register or update registration; hearing by county clerk if registration or update of registration denied
- 247.176 Request for delivery of registration card
- 247.178 Distribution of registration cards
- 247.181 Memorandum card
- 247.191 Correction of registration and precinct memorandum cards when precinct boundaries changed
- 247.195 Inquiry into validity of registration; hearing; cancellation
- 247.203 Party affiliation not to be changed, terminated or adopted during certain period
- 247.205 Procedure for voting by person for whom no evidence of registration is found
- 247.208 Voter registration agencies; designation; prohibited activities; required services

UPDATING REGISTRATION

- 247.290 When registration update required; procedure; exceptions
- Note County clerk permitted to automatically update registration of elector changing residence address within county; procedure—1993 c.713 §17
- 247.292 County clerk required to update registration of elector changing residence within county; procedure
- 247.294 Automatic registration of elector changing residence between Clackamas, Multnomah or Washington Counties
- 247.296 Verification of addresses of electors; update of registration; prohibited actions
- 247.298 Extension of time for automatic updates under ORS 247.292 and 247.294
- 247.302 Effective date of registration automatically updated by county clerk
- 247.304 Deadline for updating a registration and voting entire ballot
- 247.306 Updating registration after eighth day before election; locations for voting limited ballot

CERTIFICATE OF REGISTRATION

- 247.330 Certificate of registration; change of residence address between counties; voting entire ballot or limited ballot
- 247.340 Application for certificate of registration

ELIGIBILITY IN PRESIDENTIAL ELECTIONS

- 247.410 Eligibility to vote for President or Vice President, or electors, only
- 247.420 Special registration certificate to vote for candidates specified in ORS 247.410
- 247.435 Electors changing residence eligible to vote in presidential elections

REMOVAL OF NAMES FROM REGISTER OF ELECTORS

- 247.550 Questioning entry in poll book; notice
- 247.555 Cancellation of registration
- 247.563 Notice to electors whose registrations appear invalid; contents; effect of notice
- 247.570 Notice of deaths to Secretary of State and county clerk; effect of notice
- 247.580 County clerk to retain notices or elector listings for two years

REGISTRATION LISTS

- 247.940 Registration lists; delivery without charge to political parties
- 247.945 Registration lists delivered to any person; charges
- 247.955 Use of lists for commercial purposes prohibited; exceptions

ELECTIONS

DISCLOSURE OF RESIDENCE ADDRESS OF ELECTORS

- 247.965 When disclosure of residence address of elector exempt from Public Records Law; request for exemption
- 247.967 Conditions where disclosure of elector's residence address required; procedure
- 247.969 Rules of Secretary of State defining "personal safety" for purposes of ORS 247.965
- 247.971 Mailing address of elector required

PENALTIES

- 247.991 Penalties

CROSS REFERENCES

- Felony conviction, effect, 137.281
- Long term absent elector's application for ballot constitutes registration, 253.545
- Poll tax prohibited, U. S. Const. Amendment XXIV, Const. Art. IX, §1a
- Qualifications of electors, Const. Art. II, §§2, 3, 4, 5
- Requirements for voting in school elections, Const. Art. VIII, §6
- Right of citizens to vote, U. S. Const. Amendments XV, XIX, XXIV
- Suffrage and elections, Const. Art. II
247.121
- Transfer of registration cards upon formation of new county, 202.180
- Voting after name change, 254.411

GENERAL PROVISIONS

247.002 Definitions. As used in this chapter:

(1) "County clerk" means the county clerk or the county official in charge of elections.

(2) "Elector" means an individual qualified to vote under section 2, Article II, Oregon Constitution.

(3) "Registration card" means a state voter registration card approved by the Secretary of State under ORS 247.171, a federal voter registration application form prescribed by the Federal Election Commission pursuant to the National Voter Registration Act of 1993 (P.L. 103-31) or the voter registration portion of an application described in ORS 247.017. [1979 c.190 §39; 1993 c.713 §1]

247.005 Policy. It is the policy of this state that all election laws and procedures shall be established and construed to assist the elector in the exercise of the right of franchise. [1969 c.337 §3; 1979 c.190 §40]

247.007 When ballot considered legally cast; when vote counted; prohibition on voting more than once in same election.

(1) A ballot shall be considered legally cast if the person casting the ballot is an elector at the time the ballot is cast.

(2) A vote for a particular candidate or on a measure shall be counted if the the elector is qualified to vote for the particular candidate or on the measure.

(3) If an elector has voted in any election, the elector may not register or update a registration and vote in any election held on the same date. [1989 c.175 §2; 1993 c.713 §2]

Note: The amendments to 247.007 by section 2, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993. The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.007 (1) A ballot shall be considered legally cast if the person casting the ballot is an elector at the time the ballot is cast.

(2) If an elector has voted in any election, the elector may not reregister and vote in any election held on the same date.

Note: Section 38, chapter 713, Oregon Laws 1993, provides:

Sec. 38. Modification of certain laws for purposes of National Voter Registration Act. (1) The Secretary of State by rule may modify the provisions of ORS chapters 247, 253 and 254, other than this section, if the Secretary of State determines the rule is necessary to comply with provisions of the National Voter Registration Act (P.L. 103-31) and rules adopted thereunder.

(2) This section is repealed January 1, 1997. [1993 c.713 §38]

247.008 [1979 c.559 §2; 1983 c.567 §4; repealed by 1987 c.719 §17 and 1987 c.733 §13]

REGISTRATION

247.009 Qualification to vote in political subdivision. Unless specifically provided otherwise, a person may vote in an election of a political subdivision of this state only if the person is an elector registered in the political subdivision. [1983 c.83 §2]

247.010 [Repealed by 1957 c.608 §231]

247.011 [1957 c.608 §28; 1959 c.277 §1; 1975 c.678 §4; repealed by 1977 c.168 §6]

247.012 Method of registering or updating a registration; when registration occurs; minimum registration information required; temporary registration; registration locations. (1) A qualified person may register to vote or update a registration to vote by:

(a) Delivering by mail or otherwise a completed registration card to any county clerk, the Secretary of State, any office of the Department of Transportation or any designated voter registration agency as described in ORS 247.208;

(b) Personally delivering the card to an official designated by a county clerk under subsection (7) of this section; or

(c) Completing the voter registration portion of the application for issuance or renewal of a driver license, issuance of a state identification card under ORS 807.400 or a change of address at an office of the Department of Transportation under ORS 247.017.

(2) If a registration card is mailed or delivered to:

(a) Any person other than a county clerk or the Secretary of State, the person shall forward the card to a county clerk or the Secretary of State not later than the fifth day after receiving the card; or

(b) The Secretary of State or a county clerk for a county other than the county in which the person applying for registration resides, the Secretary of State or county clerk shall forward the card to the county clerk for the county in which the person resides not later than the fifth day after receiving the card.

(3) Registration of a qualified person occurs:

(a) When a legible, accurate and complete registration card is received in the office of any county clerk, the Office of the Secretary of State, an office of the Department of Transportation, a designated voter registration agency under ORS 247.208 or at a location designated by a county clerk under subsection (7) of this section; or

(b) On the date a registration card is postmarked if the card is received after the

21st day immediately preceding an election but is postmarked not later than the 21st day immediately preceding the election.

(4) If a registration card is legible, accurate and contains, at a minimum, the registrant's name, residence address and signature, the county clerk shall register the person. If information required by ORS 247.121 (1)(e) or (h) is missing from the registration card, the county clerk shall contact the person to obtain the missing information.

(5) If a registration card is not complete as specified in ORS 247.121 (1) on the 21st day before any election in which the registrant is eligible to vote, but contains the information required by subsection (4) of this section, the registration shall be considered valid only for the immediately ensuing election. Following the election, the registration of the elector shall be considered inactive.

(6) If a registration card meets the requirements of subsection (4) of this section but is missing the information required by ORS 247.121 (1)(h) on the 21st day before any election in which the registrant is eligible to vote, the voter shall be considered not affiliated with any political party for the immediately ensuing election.

(7) A county clerk may appoint officials to accept registration of, and issue certificates of registration to, persons at designated locations. The appointments and locations shall be in writing and filed in the office of the county clerk. The county clerk shall be responsible for the performance of duties by those appointed.

(8) Subject to subsection (5) of this section, a registration card received and accepted under this section shall be considered an active registration.

(9) Subject to ORS 247.306 and 247.340, a registration may be updated at any time. [1979 c.190 §41; 1985 c.808 §1a; 1989 c.20 §1; 1989 c.173 §5; 1989 c.979 §2; 1993 c.713 §6]

Note: The amendments to 247.012 by section 6, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993. The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.012 (1) A qualified person may register to vote by:

(a) Delivering by mail or otherwise a completed registration card to any county clerk or the Secretary of State;

(b) Personally delivering the card to an official designated by a county clerk under subsection (7) of this section; or

(c) Completing the voter registration portion of the application for a license, renewal or state identification card under ORS 807.400 at an office of the Department of Transportation under ORS 802.090.

(2) Except as provided in ORS 802.090, if a person mails or delivers a registration card to an election of-

ficer or any other person other than the county clerk for the county in which the person resides, the election officer or other person shall forward the card to the county clerk for the county in which the person resides not later than the fifth day after receiving the card.

(3) Registration of a qualified person occurs when a legible, accurate and complete registration card is received in the office of any county clerk, the Office of the Secretary of State or at a location designated by a county clerk under subsection (7) of this section.

(4) If a registration card is legible, accurate and contains, at a minimum, the registrant's name, residence address and signature, the county clerk shall register the person. If information required by ORS 247.121 (1)(e) or (h) is missing from the registration card, the county clerk shall contact the person to obtain the missing information.

(5) If a registration card is not complete as specified in ORS 247.121 (1) by 5 p.m. on the 21st day before any election in which the registrant is eligible to vote, but contains the information required by subsection (4) of this section, the registration shall be considered valid only for the immediately ensuing election. Immediately following the election the county clerk shall cancel the registration and notify the person of the cancellation.

(6) If a registration card meets the requirements of subsection (4) of this section but is missing the information required by ORS 247.121 (1)(h) at 5 p.m. on the 21st day before any election in which the registrant is eligible to vote, the voter shall be considered not affiliated with any political party for the immediately ensuing election.

(7) A county clerk may appoint officials to accept registration of, and issue certificates of registration to, persons at designated locations. The appointments and locations shall be in writing and filed in the office of the county clerk. The county clerk shall be responsible for the performance of duties by those appointed.

247.013 Where person considered registered; change of residence address between counties; registration updates; when registration considered active or inactive. (1) A qualified person shall be considered registered to vote in a county when the person's first registration in the county occurs as described in ORS 247.012.

(2) An elector who changes residence address from the county in which the elector is registered to a different county within the state, in order to vote in an election, must be an elector registered in the county in which the new residence address of the elector is located.

(3) Except as provided in ORS 247.294 and 247.330, if there is a change in any information required for registration under this chapter, and the elector has not changed residence address to another county, the registration of the elector may be updated as provided in this chapter.

(4) Notwithstanding subsections (2) and (3) of this section, if an elector changes residence address from the county in which the elector is registered to a different county within the state, the elector need not register again if the registration of the elector is updated as provided in ORS 247.294.

(5) If the county clerk does not have evidence of a change in any information required for registration under this chapter for an elector, the registration of the elector shall be considered active. If the county clerk has received evidence that there has been a change in the information required for registration under this chapter for an elector, and the county clerk has mailed the notice described in ORS 247.563, the registration of the elector shall be considered inactive. The inactive registration of an elector shall be updated before the elector may vote in an election. [1993 c.713 §8]

Note: 247.013 becomes operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993.

247.014 Transfer of voter registration information by Department of Transportation. In implementing ORS 247.012, 247.017 and 247.171, the Department of Transportation shall take steps reasonably necessary to allow transfer of voter registration information by electronic or magnetic medium. [1991 c.940 §4]

247.015 Other registration procedures.

(1) A qualified person absent from the state may register by mailing to the county clerk for the county in which the person resides a completed registration card or a signed statement containing the information required on a registration card.

(2) An otherwise qualified person who will complete the residence requirement or attain the age of 18 years before the election may register after the 60th day before the election.

(3) On written request from a qualified person who by physical incapacity cannot register in the office of the county clerk, the county clerk of the county in which the person resides shall send the person a registration card or register the person at the person's residence.

(4) An otherwise qualified person who will become a United States citizen after the 21st calendar day immediately preceding an election may register before the 20th day before the election. The person shall register using a special registration card designed by the Secretary of State under ORS 247.171. The county clerk of the county in which the person resides shall cancel the person's registration before the election unless the person appears before the county clerk and provides evidence of citizenship. [1979 c.190 §42; 1979 c.507 §1a; 1989 c.20 §2]

247.017 Voter registration at certain Department of Transportation offices. (1) A voter registration card prepared under ORS 247.171 shall be available to any person at any office of the Department of Transportation

where licenses or renewal applications are distributed or received.

(2) When a person who is at least 18 years of age applies for an Oregon license or renewal or a state identification card under ORS 807.400 at a department office where license, renewal or state identification card applications are distributed or received, the department shall inform the person that the person may register to vote at the department office. The applicant shall be asked whether the applicant is registered to vote at the applicant's current address and if not, whether the applicant would like to register to vote at the department office.

(3) Each office shall deliver in a timely manner the completed voter registration applications to the county clerk or elections officer of the county in which the office is located. The county clerk or elections officer of the county where the office is located shall forward the registration application to the county clerk or elections officer of the county in which the applicant resides. The county clerk or elections officer may reject any registration application in accordance with ORS 247.174. The Secretary of State shall determine by rule the time and manner the completed applications are to be delivered to the appropriate county clerk or elections officer.

(4) The department shall develop a license or renewal and voter registration application procedure and a state identification card and voter registration application procedure that shall allow an applicant for a license, renewal or state identification card to register to vote by providing the information required by ORS 247.121, 247.171 and the information required for the issuance or renewal of a license or for application for a state identification card.

(5) If the department notifies a person by mail of the pending expiration of the person's license, and the person responds by mail with a license renewal application, the department shall mail the person a voter registration card prepared under ORS 247.171.

(6) ORS chapter 247 shall apply to the registration of voters under this section.

(7) The Secretary of State shall adopt rules establishing procedures for meeting the requirements of subsection (3) of this section. [Formerly 802.090]

Note: The amendments to 247.017 [formerly 802.090] by section 4, chapter 713, Oregon Laws 1993, become operative January 1, 1995. See section 45, chapter 713, Oregon Laws 1993. The text that is operative on and after January 1, 1995, including amendments by section 11, chapter 751, Oregon Laws 1993, is set forth for the user's convenience.

247.017 (1) A voter registration card shall be available to any person at any office of the Department

of Transportation where licenses or renewal applications are distributed or received.

(2) When a person who is at least 18 years of age applies for issuance or renewal of an Oregon driver license, as defined in ORS 801.245, or issuance of a state identification card under ORS 807.400 or submits a change of address application form at a department office where driver license issuance or renewal applications, state identification card applications or change of address applications are distributed or received, the person shall be informed that the person may register to vote at the department office. The applicant shall be asked whether the applicant is registered to vote at the applicant's current address and if not, whether the applicant would like to register to vote at the department office.

(3) Each office shall deliver in a timely manner the completed voter registration cards to the county clerk or elections officer of the county in which the office is located. The county clerk or elections officer of the county where the office is located shall forward the registration card to the county clerk or elections officer of the county in which the applicant resides. The county clerk or elections officer may reject any registration card in accordance with ORS 247.174. The Secretary of State shall determine by rule the time and manner the completed registration cards are to be delivered to the appropriate county clerk or elections officer.

(4) The department shall develop a driver license issuance or renewal and voter registration application procedure and a state identification card issuance and voter registration application procedure and a change of address and voter registration application procedure that allows an applicant for a license, renewal, state identification card or change of address to register to vote by providing the information required by ORS 247.121, 247.171 and the information required for the issuance or renewal of a license or for issuance of a state identification card. The Secretary of State shall approve the voter registration portion of each application procedure and change of address procedure.

(5) The voter registration portion of an application described in subsection (4) of this section shall comply with provisions of the National Voter Registration Act of 1993 (P.L. 103-31).

(6) The Secretary of State shall adopt rules establishing procedures for meeting the requirements of subsection (3) of this section.

(7) Information relating to the failure of an applicant under this section to sign the voter registration portion of an application for issuance or renewal of a driver license, issuance of a state identification card or for a change of address shall not be used for other than voter registration purposes.

247.020 [Amended by 1955 c.695 §1; repealed by 1957 c.608 §231]

247.025 Registration deadline. (1) To vote in an election:

(a) A person's registration card must be received at an office or location described in ORS 247.012 not later than the time the office or location closes for business on the 21st day immediately preceding the election, but in no case later than midnight of the 21st day immediately preceding the election; or

(b) A person's registration card must be postmarked not later than the 21st day immediately preceding the election.

(2) If a person registers before the 20th day before the election, the person's name shall be listed in the poll book of the per-

son's precinct. [1979 c.190 §43; 1985 c.833 §1; 1987 c.719 §9; 1987 c.733 §1; 1993 c.713 §7]

Note: The amendments to 247.025 by section 7, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993. The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.025 (1) A person, to vote in an election, must be registered not later than 5 p.m. of the 21st calendar day immediately preceding the election.

(2) If a person registers before the 20th day before the election, the person's name shall be listed in the poll book of the person's precinct.

247.028 Use of certificate of registration. A person issued a certificate of registration who desires to vote must give the certificate to the election board of the precinct in which the elector is a resident before the elector is given a ballot. If the person desires to vote by absentee ballot, the person must give the certificate to the county clerk when the person returns the person's voted absentee ballot. [1979 c.190 §44; 1981 c.173 §11]

247.030 [Amended by 1955 c.695 §2; repealed by 1957 c.608 §231]

247.031 [1957 c.608 §29; 1975 c.678 §5; 1977 c.168 §2; repealed by 1979 c.190 §431]

247.035 Rules to consider in determining qualifications of a person to register or vote. An election official, in determining the residence and qualifications of a person offering to register or vote, shall consider the following rules, so far as they may be applicable:

(1) The person's residence shall be the place in which habitation is fixed and to which, when the person is absent, the person has intention of returning.

(2) A person who has gone into another state or territory or county of this state for a temporary purpose only shall not be considered to have lost residence.

(3) A person shall not be considered to have gained a residence in any location in this state into which the person comes for temporary purposes only, without the intention of making it the person's home.

(4) If a person moves to another state with the intention of making a permanent home, the person shall be considered to have lost residence in this state.

(5) The place where a married person's family resides shall be considered the person's residence.

(6) The place where an unmarried person sleeps shall be considered the person's residence.

(7) If a person goes from this state into any other state or territory and votes there, the person shall be considered to have lost residence in this state. [Formerly 250.410]

247.038 Registration of homeless persons. (1) A qualified person who is homeless shall not be denied the opportunity to register to vote.

(2) For purposes of this chapter:

(a) The residence address of a homeless person shall be any place within the county describing the physical location of the person; and

(b) The mailing address of a homeless person may be the office of the county clerk. [1993 c.493 §104]

247.040 [Repealed by 1957 c.608 §231]

247.045 [1975 c.678 §7; 1977 c.163 §4; 1979 c.507 §1b; 1979 c.519 §2; renumbered 247.178]

247.050 [Repealed by 1957 c.608 §231]

247.060 [Repealed by 1957 c.608 §231]

247.070 [1957 c.608 §30; 1973 c.827 §24; 1975 c.678 §8; 1977 c.829 §3; repealed by 1979 c.190 §431]

247.080 [Repealed by 1957 c.608 §231]

247.090 [Repealed by 1957 c.608 §231]

247.100 [Repealed by 1977 c.508 §15]

247.110 [Repealed by 1957 c.608 §231]

247.111 [1957 c.608 §33; 1959 c.274 §1; 1971 c.621 §30; 1975 c.678 §10; 1977 c.168 §3; repealed by 1979 c.190 §431]

247.120 [Amended by 1955 c.695 §3; repealed by 1957 c.608 §231]

247.121 Required registration information; retention of registration cards. (1) Each person who completes a registration card designed or approved under ORS 247.171 shall supply the following information:

(a) Full name and signature.

(b) Mailing address, residence address or any other necessary information definitely locating the residence of the person.

(c) If the person desires, a telephone number where the person may be contacted.

(d) If previously registered in this state, the name then supplied by the person and the county and, if known, the address of previous registration.

(e) Date and place of birth.

(f) The name of the father and maiden name of the mother of the person, if known, and the full name of the person's spouse.

(g) A statement that the person is a citizen of the United States and a resident of this state for 20 days before the election at which the person will vote.

(h) The name of the political party with which the person is affiliated, if any.

(2) No person shall supply any information under subsection (1) of this section knowing it to be false.

(3) No county clerk or other person accepting registration cards shall request any information unless it is required by subsection (1) of this section or by federal law.

(4) The person shall certify the information supplied by signing the completed registration card.

(5) Any completed and signed registration card made under this chapter shall be the official registration card of the elector. The county clerk shall keep the cards in the clerk's office as the register of electors. [1957 c.608 §34; 1971 c.241 §1; 1973 c.841 §1; 1975 c.678 §11; 1977 c.352 §1; 1979 c.190 §46; 1979 c.519 §4a; 1985 c.833 §2; 1987 c.719 §10; 1987 c.733 §2; 1993 c.713 §9]

247.125 Alteration of registration card prohibited; exceptions. No person shall alter any information supplied on a registration card except:

(1) An election officer in the performance of official duties.

(2) The person who fills out the registration card for the purpose of registering to vote. [1985 c.808 §6]

247.130 [Repealed by 1957 c.608 §231]

247.131 [1957 c.608 §35; repealed by 1971 c.241 §10]

247.140 [Repealed by 1957 c.608 §231]

247.141 [1957 c.608 §37; 1979 c.190 §48; renumbered 247.174]

247.145 [1965 c.174 §3; 1969 c.337 §1; 1975 c.678 §13; 1977 c.829 §4; repealed by 1979 c.190 §431]

247.150 [Repealed by 1957 c.608 §231]

247.151 [1957 c.608 §31; 1961 c.65 §1; repealed by 1965 c.174 §1]

247.155 [1965 c.174 §4; repealed by 1977 c.829 §23]

247.160 [Repealed by 1957 c.608 §231]

247.161 [1957 c.608 §32; repealed by 1965 c.174 §1]

247.165 [1965 c.174 §§5, 6, 7; 1975 c.678 §15; 1977 c.352 §2; repealed by 1979 c.190 §431]

247.170 [Repealed by 1957 c.608 §231]

247.171 State and federal voter registration cards; Secretary of State approval of voter registration application forms of voter registration agencies. (1) Each registration card designed or approved by the Secretary of State shall accommodate the information required by ORS 247.121 and shall contain the following:

WARNING: Any person who supplies any information knowing it to be false, is subject upon conviction to imprisonment for not more than five years or to a fine of not more than \$100,000, or both.

(2) Except as provided in this subsection, the Secretary of State shall design, prepare and distribute state voter registration cards. The Secretary of State shall also distribute federal registration cards as required by the National Voter Registration Act (P.L. 103-31). Any person may apply in writing to the Secretary of State for permission to print, copy or otherwise prepare and distribute the registration cards designed by the

Secretary of State. The secretary may revoke any permission granted under this subsection at any time. All registration cards shall be distributed to the public without charge.

(3) The Secretary of State shall design, prepare and distribute a special registration card for otherwise qualified persons who will become United States citizens after the 21st calendar day immediately preceding an election and who may register before the 20th day before an election under ORS 247.015.

(4) The Secretary of State shall approve any voter registration application form developed for use by the Department of Transportation under ORS 247.017 or by any other agency designated a voter registration agency under ORS 247.208. [1957 c.608 §36; 1965 c.464 §2; 1971 c.241 §5; 1975 c.678 §16; 1977 c.168 §4; 1979 c.190 §47; 1985 c.808 §4; 1985 c.833 §3; 1987 c.320 §150; 1987 c.719 §11; 1987 c.733 §3; 1989 c.20 §3; 1989 c.173 §1; 1989 c.979 §5; 1993 c.713 §10]

247.174 Determining if person qualified to register or update registration; hearing by county clerk if registration or update of registration denied. (1) The qualifications of any person who requests to be registered or to update a registration shall be determined in the first instance by the county clerk or official designated by the county clerk to register persons as electors from the evidence present.

(2) The county clerk or official designated by the county clerk to register persons as electors may reject any registration or update of a registration if the clerk or official determines that the person is not qualified or that the registration card is illegible, inaccurate or incomplete. The clerk or official shall promptly notify the person of the rejection.

(3) A person whose registration or update to a registration is rejected may apply to the county clerk not later than the 10th day after the rejection for a hearing on the person's qualifications to register or update the registration. Not later than the 10th day after the date the county clerk receives the application, the clerk shall notify the applicant of the place and time of the hearing on the qualifications. The hearing shall be held not sooner than the second nor later than the 20th day after notice is given. At the hearing the applicant may present evidence of qualification. If the county clerk, upon the conclusion of the hearing, determines that the applicant is qualified, the county clerk shall register or update the registration of the applicant. [Formerly 247.141; 1983 c.83 §28; 1985 c.471 §2; 1985 c.833 §4; 1987 c.719 §12; 1987 c.733 §4; 1993 c.713 §11]

Note: The amendments to 247.174 by section 11, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993.

The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.174 (1) The qualifications of any person who requests to be registered or reregistered shall be determined in the first instance by the county clerk or registering official from the evidence present.

(2) The county clerk or official designated by the county clerk to register persons as electors may reject any registration or reregistration if the clerk or official determines that the person is not qualified or that the registration card is illegible, inaccurate or incomplete. The clerk or official shall promptly notify the person of the rejection.

(3) A person whose registration or reregistration is rejected may apply to the county clerk, not later than the 10th day after the rejection, for a hearing on the person's qualifications to register or reregister. Not later than the 10th day after the date the county clerk receives the application, the clerk shall notify the applicant of the place and time of the hearing on the qualifications. The hearing shall be held not sooner than the second, nor later than the 20th, day after notice is given. At the hearing the applicant may present evidence of qualification. If the county clerk, upon the conclusion of the hearing, determines that the applicant is qualified, the county clerk shall register the applicant.

247.176 Request for delivery of registration card. (1) During the period extending from the 250th day before the primary election to the date of the primary election and the period extending from the day after the primary election to the 250th day before the next primary election:

(a) Any person may request delivery from the Secretary of State of not more than an aggregate total of 5,000 registration cards prepared under ORS 247.171; and

(b) Upon receiving a request under this subsection, the Secretary of State shall deliver to the person the number of registration cards requested that does not exceed an aggregate total of 5,000.

(2) The Secretary of State shall adopt rules describing when the Secretary of State will honor requests for delivery of more than 5,000 registration cards prepared under ORS 247.171. [1989 c.173 §7]

247.178 Distribution of registration cards. Any person may distribute a registration card in any reasonable manner that facilitates elector registration, including but not limited to distribution of the card door to door. The card shall be available at any field office of the Department of Transportation where applications for driver licenses or vehicle registrations are accepted and at any office of an agency designated a voter registration agency under ORS 247.208. [Formerly 247.045; 1993 c.713 §12; 1993 c.741 §20]

247.180 [Repealed by 1957 c.608 §231]

247.181 Memorandum card. (1) The county clerk shall prepare and issue by first class nonforwardable mail to each elector a memorandum card of convenient size containing the name and residence address of

the elector, the name or number of the precinct in which the elector resides and a brief statement of the circumstances under which the elector is required to register or update a registration.

(2) When an elector registers or updates a registration, the county clerk shall issue the elector a new memorandum card by first class nonforwardable mail.

(3) If an elector loses a memorandum card the elector may apply to the county clerk for a new card, and the county clerk shall issue the elector a new card by first class nonforwardable mail. [1957 c.608 §38; 1977 c.508 §1; 1979 c.190 §50; 1979 c.519 §6a; 1981 c.173 §12; 1993 c.713 §13]

Note: The amendments to 247.181 by section 13, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993. The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.181 (1) The county clerk shall prepare and issue by first class nonforwardable mail to each elector a memorandum card of convenient size containing the name and residence address of the elector, the name or number of the precinct in which the elector resides and a brief statement of the circumstances under which the elector is required to reregister.

(2) When an elector reregisters, the county clerk shall issue the elector a new memorandum card by first class nonforwardable mail.

(3) If an elector loses a memorandum card the elector may apply to the county clerk for a new card, and the county clerk shall issue the elector a new card by first class nonforwardable mail.

247.190 [Repealed by 1957 c.608 §231]

247.191 Correction of registration and precinct memorandum cards when precinct boundaries changed. When changes in the boundaries of a precinct are made, the county clerk may alter the registration card of an elector to conform with the change, and shall issue by first class nonforwardable mail a written notice of the change and a new memorandum card to the elector. This requirement does not apply to a change of precincts for special district or special elections. [1957 c.608 §39; 1975 c.675 §8; 1979 c.190 §51; 1979 c.519 §7a; 1985 c.808 §5]

247.195 Inquiry into validity of registration; hearing; cancellation. (1) The county clerk, at any time, may inquire into the validity of the registration of any elector. The county clerk shall mail a written statement to the elector that describes the nature of the inquiry and provides a suitable form for reply.

(2) Not later than the 20th day after the date of mailing of the statement, the elector, in writing, may state that the information on the registration card is correct or may request a change in the information on the card. Upon receipt of the statement or request, the county clerk shall determine whether the information satisfies the inquiry.

If the county clerk determines that the inquiry has not been satisfied, the county clerk shall schedule a hearing and shall notify the elector of the place and time of the hearing. The hearing shall be held not sooner than the second nor later than the 20th day after notice is given. At the hearing, the elector may present evidence of qualification. If the county clerk, upon the conclusion of the hearing, determines that the elector's registration is not valid, the county clerk shall cancel the registration. [1981 c.173 §16; 1985 c.471 §3; 1989 c.503 §3; 1993 c.713 §14]

Note: The amendments to 247.195 by section 14, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993. The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.195 The county clerk, at any time, may make inquiry into the validity of the registration of any elector. The inquiry shall proceed as provided in ORS 247.560 or 247.565. If the county clerk has reason to suspect that a person is not qualified to register to vote or that the registration card is inaccurate, the county clerk shall schedule a hearing on the validity of the registration and shall notify the elector of the place and time of the hearing. The hearing shall be held not sooner than the second, nor later than the 20th, day after notice is given. At the hearing the elector may present evidence of qualification. If the county clerk, upon the conclusion of the hearing, determines that the elector's registration is not valid, the county clerk shall cancel the registration.

247.200 [Repealed by 1957 c.608 §231]

247.201 [1957 c.608 §45; 1971 c.241 §6; 1975 c.678 §17; 1977 c.168 §5; 1979 c.190 §53; 1983 c.514 §4; 1985 c.808 §7; repealed by 1987 c.719 §17 and 1987 c.733 §13]

247.203 Party affiliation not to be changed, terminated or adopted during certain period. An elector who updates a registration during the period extending from the 45th day before a primary election to the date of the primary election may not, during that period:

(1) Change the elector's political party affiliation if the elector's immediate past registration record shows the elector was or is registered as affiliated with a political party.

(2) Terminate affiliation with a political party if the elector's immediate past registration record shows the elector was or is registered as affiliated with a political party.

(3) Adopt a political party affiliation if the elector's immediate past registration shows that the elector was not or is not registered as affiliated with a political party. [1987 c.719 §§5,22; 1989 c.965 §§1,2; 1993 c.713 §15]

Note: The amendments to 247.203 by section 15, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993. The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.203 A person who reregisters under ORS 247.290 during the period extending from the 45th day before a primary election to the 21st day before a primary election may not, during that period:

(1) Change the person's political party affiliation under ORS 247.121 (1)(h) if the person's immediate past registration record shows the person was or is registered as affiliated with a political party.

(2) Reregister as not being affiliated with a political party if the person's immediate past registration record shows the person was or is registered as affiliated with a political party.

(3) Adopt a political party affiliation under ORS 247.121 (1)(h) if the person's immediate past registration shows that the person was not or is not registered as affiliated with a political party.

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

(2) Whenever an elector updates a registration at a polling place on the date of the election and votes under ORS 247.306, the elector shall vote in the manner provided in this section.

(3) An elector voting under this section shall complete and sign a registration card and shall vote a limited ballot. The limited ballot shall include only federal and statewide offices and statewide measures.

(4) The elector shall insert the ballot into a small envelope provided by the election board and then insert the small envelope into a larger envelope. The larger envelope shall be deposited in the ballot box. When the ballot box is opened, the larger envelopes shall be segregated and not counted until the registration of the elector is verified under this section.

(5) The county clerk shall determine if the elector is validly registered to vote and if the vote was properly cast. The ballot shall be counted only if the county clerk determines the registration of the elector is considered active or inactive. [1993 c.713 §34]

Note: 247.205 becomes operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993.

247.208 Voter registration agencies; designation; prohibited activities; required services. (1) The Secretary of State by rule, in accordance with the requirements of the National Voter Registration Act of 1993 (P.L. 103-31), shall designate agencies as voter registration agencies. Agencies designated may include state, county, city or district offices and federal and nongovernmental offices with the agreement of the federal or nongovernmental offices.

(2) Services required by the National Voter Registration Act of 1993 (P.L. 103-31) shall be made available in connection with any registration card at each voter registration agency designated by the Secretary of State.

(3) A person providing services referred to in subsection (2) of this section at a voter registration agency shall not:

(a) Seek to influence the political preference or party registration of a person registering to vote;

(b) In accordance with provisions of the Oregon Constitution, display such political preference or party allegiance;

(c) Make any statement to a person registering to vote or take any action the purpose or effect of which is to discourage a person from registering to vote;

(d) Make any statement to a person registering to vote or take any action the purpose or effect of which is to lead the person to believe that a decision to register or not to register has any bearing on the availability of services or benefits; or

(e) Seek to induce any person to register or vote in any particular manner.

(4) Each state agency required to be designated a voter registration agency under the National Voter Registration Act of 1993 (P.L. 103-31) shall, with each application for service or assistance and with each recertification, renewal or change of address form relating to the service or assistance:

(a) Distribute a registration card, including all statements required under the National Voter Registration Act of 1993 (P.L. 103-31); and

(b) Provide a form including other information required by the National Voter Registration Act of 1993 (P.L. 103-31).

(5) Information relating to a declination to register to vote in connection with an application made at an office described in subsection (4) of this section shall not be used for any purpose other than voter registration.

(6) A completed registration card accepted at a voter registration agency designated under this section shall be delivered to a county clerk or the Secretary of State. [1993 c.713 §5]

Note: 247.208 becomes operative January 1, 1995. See section 45, chapter 713, Oregon Laws 1993.

247.210 [Repealed by 1957 c.608 §231]

247.211 [1957 c.608 §27; repealed by 1971 c.241 §10]

247.220 [Repealed by 1961 c.412 §5]

247.230 [Repealed by 1961 c.412 §5]

247.240 [Repealed by 1961 c.412 §5]

247.250 [1955 c.552 §1; repealed by 1957 c.608 §231]

247.251 [1957 c.608 §40; repealed by 1963 c.595 §1 (247.610, 247.620, 247.630 to 247.650, 250.365 and 250.375 enacted in lieu of 247.251)]

247.260 [1955 c.552 §2; repealed by 1957 c.608 §231]

247.261 [1957 c.608 §41; repealed by 1979 c.190 §431]

247.270 [1955 c.552 §3; repealed by 1957 c.608 §231]

247.280 [1957 c.608 §42; 1979 c.190 §62; renumbered 247.590]

247.282 [1971 c.30 §2; repealed by 1973 c.125 §1 and by 1973 c.827 §83]

247.284 [1971 c.30 §§4, 6; repealed by 1973 c.125 §1 and by 1973 c.827 §83]

247.286 [1971 c.30 §§5, 7; repealed by 1973 c.125 §1 and by 1973 c.827 §83]

247.288 [1971 c.30 §3; repealed by 1973 c.125 §1 and by 1973 c.827 §83]

UPDATING REGISTRATION

247.290 When registration update required; procedure; exceptions. (1) An elector shall update a registration if:

(a) The residence address of the elector is changed for any reason within the county in which the elector is registered, except as provided in subsection (3) of this section.

(b) The elector desires to change political party affiliation.

(c) The mailing address of the elector is changed, except as provided in subsection (3) of this section.

(d) The name of the elector is changed except as provided in ORS 254.411.

(2) The elector shall update a registration in the same manner as original registration.

(3) Notwithstanding subsection (1) of this section:

(a) An elector need not update a registration if:

(A) The United States Postal Service or a city or county changes the residence or mailing address of the elector and the residence of the elector has not been relocated; or

(B) The registration of the elector has been updated by the county clerk under ORS 247.292, 247.294 or 247.296.

(b) An elector whose mailing address has changed but whose residence address has not changed, and whose registration has not been canceled, may vote once in the precinct in which the elector is registered. The following apply:

(A) The election board clerk shall enter into the poll book the fact that the elector's mailing address has changed. Following the election, the county clerk shall send the elector the notice described in ORS 247.563 and the registration of the elector shall be considered inactive.

(B) The registration of an elector whose mailing address has changed must be updated in order for the elector to vote in any subsequent election.

(c) A person whose mailing address has changed but whose residence address has not changed, and whose registration has been

canceled, may vote once in the precinct in which the person was registered before the cancellation. The person must register in order to vote in any subsequent election. [1957 c.608 §43; 1961 c.115 §1; 1965 c.583 §1; 1971 c.241 §2; 1975 c.678 §18; 1979 c.190 §52; 1981 c.173 §13; 1985 c.471 §4; 1987 c.733 §5; 1989 c.20 §4; 1993 c.493 §1; 1993 c.713 §§16,16a]

Note: The amendments to 247.290 by sections 16 and 16a, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993.

The amendments to 247.290 by section 1, chapter 493, Oregon Laws 1993, are repealed July 1, 1994. See sections 16a and 44, chapter 713, Oregon Laws 1993. The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.290 (1) A person shall reregister if:

(a) The registration of the person is canceled.

(b) The residence or mailing address of the person is changed for any reason, except as provided in subsection (3) of this section.

(c) The person desires to change political party affiliation under ORS 247.121 (1)(h).

(d) The name of the person is changed by marriage or court order except as provided in ORS 254.411.

(2) The person shall reregister in the same manner as registration.

(3) Notwithstanding subsection (1) of this section:

(a) A person need not reregister if the United States Postal Service or a city or county changes the residence or mailing address of the person and the residence of the person has not been relocated.

(b) A person whose residence address is changed for any reason after the 40th day before an election may vote in that election without reregistering if the person obtains a certificate of registration as provided in ORS 247.340.

(c) A person whose mailing address has changed but whose residence address has not changed, and whose registration has not been canceled under ORS 247.565, 247.567 or 247.585, may vote once in the precinct in which the person is registered. The following apply:

(A) The election board clerk shall enter into the poll book the fact that the person's mailing address has changed. In noting such entry, the county clerk shall immediately cancel the person's current registration.

(B) The person whose mailing address has changed must reregister in order to vote in any subsequent election.

(d) A person whose mailing address has changed but whose residence address has not changed, and whose registration has been canceled under ORS 247.565, 247.567 or 247.585, may vote once in the precinct in which the person was registered before the cancellation. The person must reregister in order to vote in any subsequent election.

Note: Section 17, chapter 713, Oregon Laws 1993, provides:

Sec. 17. County clerk permitted to automatically update registration of elector changing residence address within county; procedure. (1) A county clerk may update the registration of an elector in the county upon receiving written evidence from the elector or from the United States Postal Service indicating a residence or mailing address that is different from the residence or mailing address for the elector as contained in the records of the county clerk. This subsection applies only if the new residence address is located in the same county as the residence address for

the elector as contained in the records of the county clerk.

(2) If a county clerk updates the registration of an elector under subsection (1) of this section, the clerk shall send a new precinct memorandum card by non-forwardable mail to the elector as provided in ORS 247.181. The clerk shall include a notice stating that if the residence address or mailing address is not correct, the elector must notify the clerk.

(3) The effective date of a registration updated under this section is the date that the county clerk changes the address information on the voter registration file.

(4) An elector shall not be disqualified from voting due to any error relating to an update of registration made under this section.

(5) Notwithstanding ORS 247.290 (1), an elector need not update a registration if the residence or mailing address of the elector has been updated under this section.

(6) If there are fewer than 22 days between the date of an election and the registration deadline for the next succeeding election, the county clerk may update registrations under this section after the next succeeding election.

(7) ORS 247.580 applies to notices or other correspondence issued under this section.

(8) This section is repealed July 2, 1995. [1993 c.713 §17]

247.292 County clerk required to update registration of elector changing residence within county; procedure. (1) A county clerk shall update the registration of an elector in the county upon receiving written evidence from the elector or from the United States Postal Service indicating a residence or mailing address that is different from the residence or mailing address for the elector as contained in the records of the county clerk. This subsection applies only if the new residence address is located in the same county as the residence address for the elector as contained in the records of the county clerk.

(2) When a county clerk updates the registration of an elector under subsection (1) of this section, the clerk shall send a new precinct memorandum card by nonforwardable mail to the elector as provided in ORS 247.181. The clerk shall include a notice stating that if the residence address or mailing address is not correct, the elector must notify the clerk.

(3) An elector shall not be disqualified from voting due to any error relating to an update of registration made under this section. [1993 c.713 §17a]

Note: Section 17b, chapter 713, Oregon Laws 1993, provides:

Sec. 17b. (1) Sections 17a, 17d and 17e of this 1993 Act [247.292, 247.296 and 247.298] become operative:

(a) On the effective date of this 1993 Act [August 25, 1993] in counties having a population of 500,000 or more;

(b) On July 1, 1994, in counties having a population of 100,000 or more; and

(c) In all other counties on July 1, 1995.

(2) This section is repealed July 2, 1995. [1993 c.713 §17b]

247.294 Automatic registration of elector changing residence between Clackamas, Multnomah or Washington Counties. (1) If a county clerk in Clackamas, Multnomah or Washington County receives written evidence from the United States Postal Service indicating a residence address that is different from the residence address for the elector as contained in the records of the county clerk, and the new residence address is located in a different county but within Clackamas, Multnomah or Washington County, the county clerk shall notify the county clerk of the county in which the elector resides of the new residence address and the county clerk of the county in which the elector resides shall register the elector.

(2) If a county clerk registers an elector under this section, the clerk shall send a new precinct memorandum card by nonforwardable mail to the elector as provided in ORS 247.181. The clerk shall include a notice stating that if the residence address or mailing address is not correct, the elector must notify the clerk.

(3) An elector shall not be disqualified from voting due to any error relating to an update of residence address made under this section.

(4) As used in this section, "county clerk" means the county clerk or the county official in charge of elections.

(5) This section shall not apply if the county clerks of Clackamas, Multnomah and Washington Counties determine that they are unable to implement this section for technical, legal or financial reasons. [1993 c.713 §17c]

Note: Section 17g, chapter 713, Oregon Laws 1993, provides:

Sec. 17g. (1) If section 17c of this 1993 Act [247.294] is not implemented, the county clerks of Clackamas, Multnomah and Washington Counties shall report the reasons for failing to implement section 17c of this 1993 Act and legislative recommendations to the Sixty-eighth Legislative Assembly.

(2) This section is repealed January 1, 1996. [1993 c.713 §17g]

247.296 Verification of addresses of electors; update of registration; prohibited actions. (1) Not sooner than the 70th day and not later than the 30th day before the date of the general election, the county clerk shall use records of the United States Postal Service to verify the accuracy of addresses of electors contained in the registration file of the county clerk.

(2) Based on information obtained under subsection (1) of this section, the county

clerk shall automatically update the registration of an elector under ORS 247.292.

(3) The registration of an elector shall not be canceled or moved to an inactive file prior to the general election based on information obtained under this section. [1993 c.713 §17d]

Note: See note under 247.292.

247.298 Extension of time for automatic updates under ORS 247.292 and 247.294. If there are fewer than 22 days between the date of an election and the registration deadline for the next succeeding election, the county clerk may update registrations as required under ORS 247.292 or 247.294 after the next succeeding election. [1993 c.713 §17e]

Note: See note under 247.292.

247.300 [1957 c.608 §44; 1961 c.115 §2; repealed by 1975 c.678 §25]

247.302 Effective date of registration automatically updated by county clerk. The effective date of a voter registration updated under ORS 247.292, 247.294 or 247.296 is the date that the county clerk changes the address information on the voter registration file. [1993 c.713 §17f]

247.304 Deadline for updating a registration and voting entire ballot. Notwithstanding ORS 247.025, 247.306 and 247.330:

(1) If a county clerk receives information updating the registration of an elector after the deadline in ORS 247.025 and before the seventh day before any election conducted at the polls, the county clerk may include the elector's updated registration information in the poll book. If the elector's updated registration information is not in the poll book, the clerk shall provide the elector a certificate of registration allowing the elector to vote the entire ballot at the elector's new polling place.

(2) If a county clerk receives information updating the registration of an elector after the deadline in ORS 247.025 and before the seventh day before an election held by mail, the county clerk shall issue a certificate of registration for the entire ballot under ORS 254.470 (4). [1993 c.713 §18]

Note: 247.304 becomes operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993.

247.306 Updating registration after eighth day before election; locations for voting limited ballot. (1) Any elector who changes residence address within a county and whose registration has not been canceled may update the elector's registration after the eighth day before an election and prior to voting and may vote a limited ballot at a location specified in subsection (2) of this section. The limited ballot shall include only

federal and statewide offices and statewide measures.

(2) Any elector described in subsection (1) of this section may vote at one of the following locations:

(a) The elector's former polling place if the new residence address is located in the same congressional district as the elector's former polling place;

(b) The polling place that is appropriate for the elector's new residence address; or

(c) The elections office of the county clerk of the county in which the elector resides.

(3) To update a registration under this section, an elector shall complete a registration card. [1993 c.713 §20]

Note: 247.306 becomes operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993.

247.310 [1961 c.62 §2; 1967 c.25 §1; 1971 c.241 §3; repealed by 1979 c.190 §431 and 1979 c.519 §38]

CERTIFICATE OF REGISTRATION

247.320 [1987 c.733 §9; 1989 c.20 §5; repealed by 1993 c.713 §43]

Note: The repeal of 247.320 is operative July 1, 1994. See sections 43 and 44, chapter 713, Oregon Laws 1993. 247.320 (1991 Edition) is set forth for the user's convenience.

247.320 Certificate of registration; change of residence address within county. (1) Any elector who changes residence within a precinct, or from one precinct to another precinct within the same county after the 40th day before any election, and who has not re-registered, shall be permitted to vote at the ensuing election if the elector obtains a certificate of registration from the county clerk. Upon delivery of the certificate to the election board in the precinct or the county clerk of the county where the elector is currently resident, the elector shall be permitted to vote the entire ballot or ballots issued to that precinct.

(2) Any elector referred to in subsection (1) of this section is permitted to obtain a separate certificate for each election held during the closed registration period.

247.330 Certificate of registration; change of residence address between counties; voting entire ballot or limited ballot. (1) Any elector who changes residence address from one county to another county within the state and who is not registered in the new county, shall be permitted to vote in the ensuing election if the elector obtains a certificate of registration from the county clerk of the county in which the elector is currently a resident. The county clerk of the county where the elector is currently a resident shall issue a certificate of registration only after verifying the elector's registration in the county in which the elector previously resided.

(2) An elector who obtains a certificate of registration under paragraph (b) of subsection (1) of this section shall supply proof of identity and proof that the elector resides

at the address to which the certificate is issued. The Secretary of State shall designate kinds of proof of identity and residence that are acceptable for purposes of this subsection.

(3) If the county clerk of the county in which the elector is currently a resident receives the application for a certificate of registration after the deadline in ORS 247.025 and:

(a) Before the seventh day before the date of the election, the elector shall be permitted to vote the entire ballot; or

(b) After the eighth day before the date of the election, the elector shall be permitted to vote a limited ballot. The limited ballot shall include only federal and statewide offices and statewide measures. [1987 c.733 §10; 1989 c.20 §6; 1993 c.713 §21]

Note: The amendments to 247.330 by section 21, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993. The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.330 (1) Any elector who changes residence address from one county to another county within the state after the 40th day before any election, and who has not reregistered, shall be permitted to vote in the ensuing election if:

(a) The elector obtains a certificate of registration from the county clerk of the county in which the elector was previously registered; or

(b) The elector obtains a certificate of registration from the county clerk of the county in which the elector is currently a resident. The county clerk of the county where the elector is currently a resident shall issue a certificate of registration only after verifying the elector's registration in the county in which the elector previously resided.

(2) An elector who obtains a certificate of registration under paragraph (b) of subsection (1) of this section shall supply proof of identity and proof that the elector resides at the address to which the certificate is issued. The Secretary of State shall designate kinds of proof of identity and residence that are acceptable for purposes of this subsection.

(3) Upon delivery of the certificate to the election board of the precinct or the county clerk of the county where the elector is currently resident, the elector shall be permitted to vote the entire ballot or ballots issued to that precinct.

247.340 Application for certificate of registration. (1) An application for a certificate of registration may be made to the appropriate county clerk by completing a new registration card.

(2) Upon receiving a registration card under subsection (1) of this section, the county clerk shall immediately cancel the applicant's current registration. If the former residence address of the applicant is in another county, the county clerk shall notify the county clerk of that county.

(3) Certificates of registration shall be issued only by the county clerk or an official

appointed by the county clerk under ORS 247.012.

(4) No person shall certify the information required by this section or supply any proof of identity or residence under ORS 247.330 (2) knowing it to be false.

(5) The certificate of registration shall bear the following:

WARNING: Any person who supplies false information, knowing it to be false, to obtain a certificate of registration is subject to imprisonment for not more than five years or to a fine of not more than \$100,000, or both.

[1987 c.733 §11; 1993 c.713 §22]

ELIGIBILITY IN PRESIDENTIAL ELECTIONS

247.410 Eligibility to vote for President or Vice President, or electors, only. A person who is qualified to register, except that the person will have resided in this state less than 20 days before the election, may vote in the election for candidates for nomination or election for President or Vice President of the United States or elector of President and Vice President of the United States if the person:

(1) Did not vote for the nomination of such candidates in another state during the six months immediately preceding the person's request for registration to vote for the nomination of such candidates in the primary election in this state; or

(2) Did not vote for the election of such candidates in another state during the six months immediately preceding the person's request for registration to vote for the election of such candidates in the general election in this state. [1961 c.114 §2; 1973 c.150 §1; 1979 c.190 §54; 1979 c.519 §9a; 1987 c.267 §7]

247.420 Special registration certificate to vote for candidates specified in ORS 247.410. (1) A county clerk shall give a certificate of registration marked "Presidential only" to any person eligible under ORS 247.410 who personally appears in the office of the county clerk, completes a registration card and verifies eligibility to vote under ORS 247.410.

(2) No person shall supply any information under subsection (1) of this section, knowing it to be false. [1961 c.114 §3; 1969 c.153 §1; 1975 c.678 §19; 1979 c.190 §55]

247.430 [1961 c.114 §4; 1971 c.241 §7; repealed by 1979 c.190 §431]

247.435 Electors changing residence eligible to vote in presidential elections. An elector of this state who moves to another state after the 31st day before a pri-

mary or general election for President or for electors of President and Vice President, and who does not qualify to vote in the state of the elector's present residence, may vote for these offices in the primary or general election in this state. If voting in person, the elector must obtain a certificate of registration marked "Presidential only." If voting by absentee ballot, the elector must apply for an absentee ballot that will be marked "Presidential only." [Formerly 253.300; 1987 c.267 §8]

247.440 [1961 c.114 §5; 1971 c.241 §8; 1975 c.678 §20; repealed by 1979 c.190 §431]

247.450 [1961 c.114 §6; repealed by 1979 c.190 §431]

247.460 [1961 c.114 §7; repealed by 1979 c.190 §431]

247.470 [1961 c.114 §8; 1975 c.678 §21; repealed by 1979 c.190 §431]

247.510 [1957 c.608 §46; renumbered 247.910]

247.520 [1957 c.608 §47; 1961 c.48 §1; renumbered 247.920]

REMOVAL OF NAMES FROM REGISTER OF ELECTORS

247.550 Questioning entry in poll book; notice. (1) An elector or member of an election board may question an entry in the poll book. The question shall be noted in the remarks column following the name stating the reason, such as "died," "moved," or "incorrect address."

(2) Not later than the 60th day after each election, the county clerk shall send the notice described in ORS 247.563 to electors questioned under subsection (1) of this section. [1963 c.346 §2; 1977 c.508 §2; 1979 c.190 §57; 1985 c.808 §8; 1991 c.107 §1; 1993 c.713 §23]

Note: The amendments to 247.550 by section 23, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993. The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.550 An elector or member of an election board may challenge the entry of a name in the poll book. The challenge will be noted in the remarks column following the name stating the reason, such as "died," "moved," or "incorrect address."

247.555 Cancellation of registration. (1) A county clerk may cancel the registration of an elector:

- (a) At the request of the elector;
- (b) Upon the death of the elector;
- (c) If the county clerk receives written evidence that the elector has registered to vote in another county in this state or in another state; or
- (d) If the elector has not responded to a notice described in ORS 247.563 and has not voted or updated a registration during the period beginning on the date the notice is sent and ending on the day after the date of the second regular general election that occurs after the date the notice was sent.

(2) If the registration of an elector is canceled, the elector, in order to vote in an election, must register as provided in this chapter. [1993 c.713 §24]

Note: 247.555 becomes operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993.

247.560 [1963 c.346 §3; 1965 c.583 §2; 1971 c.241 §4; 1977 c.508 §3; 1979 c.190 §58; 1979 c.519 §10a; 1981 c.173 §14; 1985 c.471 §5; repealed by 1993 c.713 §43]

Note: The repeal of 247.560 is operative July 1, 1994. See sections 43 and 44, chapter 713, Oregon Laws 1993. 247.560 (1991 Edition) is set forth for the user's convenience.

247.560 Notice of challenge to elector; elector's reply; hearing; effect of failure to reply. (1) Not later than the 60th day after each election, the county clerk shall examine the poll books and note the challenges made under ORS 247.550. The county clerk shall mail a written inquiry to the challenged elector at the address indicated on the registration card. The inquiry shall state the nature of the challenge and provide a suitable form for reply.

(2) Not later than the 20th day after the date of mailing of the inquiry the elector, in person or in writing, may state that the information on the registration card is correct or may request a change in the information on the card. Upon receipt of the statement or request the county clerk shall determine whether the information satisfies the challenge. If the county clerk determines that the challenge has not been satisfied, the county clerk shall schedule a hearing on the challenge and shall notify the elector of the place and time of the hearing. The hearing shall be held not sooner than the second, nor later than the 20th, day after notice is given. At the hearing, the challenged elector may present evidence of qualification. If the county clerk, upon the conclusion of the hearing, determines that the challenged elector's registration is not valid, the county clerk shall cancel the registration.

(3) If a challenged elector fails to make the statement or request in response to the inquiry, the county clerk shall cancel the registration of the challenged elector.

247.563 Notice to electors whose registrations appear invalid; contents; effect of notice. (1) Except as provided in subsection (4) of this section and ORS 247.555, whenever it appears to the county clerk that an elector needs to update the elector's registration or that the elector has changed residence address to another county, the county clerk shall mail a notice to the elector.

(2) The notice shall be sent by forwardable mail and shall include a postage prepaid, preaddressed return card on which the elector may state the elector's current residence and mailing address. The notice shall advise the elector that:

- (a) The elector should return the card promptly;
- (b) If the card is not returned by the 21st calendar day immediately preceding an election, the elector may be required to complete a new registration card in order to vote in an election and may only receive a limited ballot; and

(c) The elector's registration will be canceled if the elector does not vote before two general elections have been held.

(3) When the county clerk mails a notice under this section, the registration of the elector shall be considered inactive until the elector updates the registration, the registration is canceled or the clerk determines that the registration should be considered active.

(4) This section does not apply when the county clerk receives written evidence from the elector, the United States Postal Service or another county clerk indicating a change of residence or mailing address and the registration of the elector is automatically updated by the county clerk under any provision of this chapter. [1993 c.713 §25]

Note: 247.563 becomes operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993.

247.565 [Formerly 247.600; 1981 c.173 §17; 1987 c.719 §§15, 16; 1989 c.503 §4; 1993 c.493 §2; repealed by 1993 c.713 §43]

Note: The repeal of 247.565 is operative July 1, 1994. See sections 43 and 44, chapter 713, Oregon Laws 1993. The text that is in effect until July 1, 1994, (247.565, as amended by section 2, chapter 493, Oregon Laws 1993), is set forth for the user's convenience.

247.565 Elector activity maintenance file. (1) The county clerk, not later than January 1 of each even-numbered year, shall create a separate file of electors within the county for the purpose of elector activity determination.

(2) From the time a new elector activity maintenance file is created until September 1 of the next odd-numbered year, the county clerk shall examine the poll books for each election held within the county to determine the names of electors who have voted or to whom a ballot has been mailed, but not returned to the county clerk indicating a change of the elector's residence or mailing address. If the elector activity maintenance file of a county is manually maintained, the name of an elector who has voted in any election or to whom a ballot has been mailed, but not returned to the county clerk indicating a change of the elector's residence or mailing address during that period shall be removed from the elector activity maintenance file. The name of an elector who has reregistered or whose registration has been canceled also shall be removed from the registration record and the elector activity maintenance file. If the elector activity maintenance file of a county is mechanically maintained, the automated registration record of electors who have voted in any election or to whom a ballot has been mailed, but not returned to the county clerk indicating a change of the elector's residence or mailing address during that period shall be updated to indicate which electors have voted or to whom a ballot has been mailed, but not returned to the county clerk indicating a change of the elector's residence or mailing address. The registration record of an elector who has reregistered or whose registration has been canceled shall be removed from the registration records and the elector activity maintenance file.

(3) Between September 15 and September 30 of each odd-numbered year, the county clerk shall mail a written notice to electors who are indicated by the elector activity maintenance file as not having voted or not having received a ballot by mail during the period described in subsection (2) of this section. The notice shall be sent first class mail and be clearly marked "Address Correction Requested." The notice shall be in a form

prescribed by the Secretary of State. The county clerk shall not mail the notice if the county clerk receives evidence that the United States Postal Service records show that the elector's residence or mailing address has changed and there is no forwarding address.

(4) In lieu of mailing the notice in September as provided in subsection (3) of this section, the county clerk may mail the notice to an elector after the elector has had a continuous two-year period of voting inactivity or has not received a ballot by mail.

(5) The county clerk shall remove from the register of electors the registration card of any elector:

(a) Sent the notice in subsection (3) or (4) of this section if the county clerk receives evidence that the elector's residence or mailing address has changed; or

(b) Where the county clerk receives evidence that the United States Postal Service records show that the elector's residence or mailing address has changed and there is no forwarding address.

247.567 [1989 c.979 §4; 1993 c.741 §21; repealed by 1993 c.713 §43]

Note: The repeal of 247.567 is operative July 1, 1994. See sections 43 and 44, chapter 713, Oregon Laws 1993. The text that is in effect until July 1, 1994, (247.567, as amended by section 21, chapter 741, Oregon Laws 1993), is set forth for the user's convenience.

247.567 Notice of change of address from Department of Transportation to Secretary of State; notice to county clerks; cancellation of registration. (1) The Department of Transportation shall furnish to the Secretary of State, each month, a list of the names of persons who have notified the department, as required by driver licensing laws or rules, of a change in the person's residence or mailing address. The list shall also include, if available, the person's date of birth, county of residence, any previous county of residence, residence or mailing address, previous residence or mailing address and any other information required by the Secretary of State by rule.

(2) The Secretary of State shall furnish, at least once a month, a copy of the appropriate names from the list referred to in subsection (1) of this section to every county clerk.

(3) Notwithstanding ORS 247.565, a county clerk may cancel the registration of an individual if the list referred to in subsection (1) of this section shows a residence or mailing address that is different from the residence or mailing address on the individual's registration card. The county clerk shall mail the person a forwardable written notice of the cancellation. The written notice shall contain a voter registration card.

247.570 Notice of deaths to Secretary of State and county clerk; effect of notice. The Health Division, during the last week of each month, shall furnish to the Secretary of State a list of the name, age, county of residence and residence address of each resident of this state who has died during the preceding month. The Secretary of State shall furnish a copy of the appropriate names to each county clerk. Each county clerk immediately shall cancel registrations of those individuals. [1963 c.346 §4; 1979 c.190 §60]

247.575 [1975 c.766 §2; repealed by 1979 c.190 §431]

247.580 County clerk to retain notices or elector listings for two years. (1) Copies of all notices and other correspondence issued under ORS 247.195, 247.292, 247.294, 247.296, 247.563 and 247.570 shall be retained by the county clerk for two years.

(2) If the elector registration records of a county are mechanically maintained, the county clerk may satisfy the requirements of subsection (1) of this section by maintaining for two years:

(a) Computer listings of electors to whom the clerk issued notices or any other correspondence under ORS 247.195, 247.292, 247.294, 247.296, 247.563 and 247.570 and facsimile copies of notices and correspondence; or

(b) Microfilm records of the listings and copies. [1963 c.346 §5; 1975 c.766 §3; 1979 c.190 §61; 1981 c.173 §18; 1985 c.808 §8b; 1993 c.713 §26]

Note: The amendments to 247.580 by section 26, chapter 713, Oregon Laws 1993, become operative July 1, 1994. See section 44, chapter 713, Oregon Laws 1993. The text that is operative until July 1, 1994, is set forth for the user's convenience.

247.580 (1) Copies of all notices and other correspondence issued under ORS 247.195, 247.560, 247.565, 247.570 and 247.595 shall be retained by the county clerk for two years.

(2) If the elector registration records of a county are mechanically maintained, the county clerk may satisfy the requirements of subsection (1) of this section by maintaining for two years:

(a) Computer listings of electors to whom the clerk issued notices or any other correspondence under ORS 247.195, 247.560, 247.565 and 247.570 and facsimile copies of notices and correspondence; or

(b) Microfilm records of the listings and copies.

247.585 [1989 c.173 §4; repealed by 1993 c.713 §43]

Note: The repeal of 247.585 is operative July 1, 1994. See sections 43 and 44, chapter 713, Oregon Laws 1993. 247.585 (1991 Edition) is set forth for the user's convenience.

247.585 Cancellation of registration based On United States Postal Service records. (1) Notwithstanding ORS 247.565, a county clerk may cancel the registration of an individual if the United States Postal Service records show a residence or mailing address that is different from the residence or mailing address on the individual's registration card. The county clerk shall mail the person a forwardable written notice of the cancellation. If the United States Postal Service records show that the new residence or mailing address of the individual is within the state, the written notice shall include a voter registration card.

(2) This section shall not apply if the United States Postal Service or a city or county changes the residence or mailing address of the person and the residence of the person has not been relocated.

247.590 [Formerly 247.280; 1985 c.808 §8c; repealed by 1993 c.713 §43]

Note: The repeal of 247.590 is operative July 1, 1994. See sections 43 and 44, chapter 713, Oregon Laws 1993. 247.590 (1991 Edition) is set forth for the user's convenience.

247.590 Registration not to be canceled while elector in Armed Forces; exception. Except as provided in ORS 247.595, an elector's registration shall not be canceled during service in the Armed Forces of the United States or of any ally of the United States.

247.595 [1985 c.808 §8a; repealed by 1993 c.713 §43]

Note: The repeal of 247.595 is operative July 1, 1994. See sections 43 and 44, chapter 713, Oregon Laws 1993. 247.595 (1991 Edition) is set forth for the user's convenience.

247.595 Cancellation of registration of long term absent elector; notice. (1) The county clerk may cancel the registration of a long term absent elector if:

(a) The county clerk mails a written notice of inquiry as provided in subsections (2) and (3) of this section; and

(b) The county clerk determines that the elector has not responded as provided in subsection (4) of this section.

(2) The county clerk shall mail a written notice of inquiry to a long term absent elector when either of the following circumstances occurs:

(a) When the elector is indicated by the records of the county clerk as having had a four-year period of voting inactivity.

(b) When the absentee ballots for any two elections in any year have been sent to the elector and the ballots have been returned to the county clerk with an indication to the effect that the ballot was undeliverable because the address to which the ballot was sent is not the current mailing address of the elector.

(3) The notice of inquiry shall be in a form prescribed by the Secretary of State and:

(a) Shall state the requirements of reregistration and allow the elector to supply necessary information for reregistration on the notice; and

(b) Shall contain a warning that the elector's registration will be canceled if the information is not given to the county clerk before the 70th day after the date of the notice.

(4) The county clerk shall not remove from the register of electors the registration card of any long term absent elector sent the notice of inquiry if before the 70th day after the date of the date of the notice:

(a) The elector signs and delivers to the county clerk a statement that the information on the card is still correct; or

(b) The elector reregisters.

(5) As used in this section, "long term absent elector" has the meaning given that term in ORS 253.510.

247.600 [1975 c.766 §1; 1977 c.829 §5; 1979 c.190 §59; 1979 c.519 §11a; renumbered 247.565]

247.610 [1963 c.595 §2 (247.610, 247.620, 247.630 to 247.650, 250.365 and 250.375 enacted in lieu of 247.251); repealed by 1975 c.766 §29]

247.620 [1963 c.595 §3 (247.610, 247.620, 247.630 to 247.650, 250.365 and 250.375 enacted in lieu of 247.251); 1967 c.64 §1; repealed by 1975 c.766 §29]

247.625 [1967 c.64 §§3, 4, 5, 6; repealed by 1975 c.766 §29]

247.630 [1963 c.595 §4 (247.610, 247.620, 247.630 to 247.650, 250.365 and 250.375 enacted in lieu of 247.251); repealed by 1967 c.64 §7]

247.640 [1963 c.595 §7 (247.610, 247.620, 247.630 to 247.650, 250.365 and 250.375 enacted in lieu of 247.251); repealed by 1967 c.64 §7]

247.650 [1963 c.595 §8 (247.610, 247.620, 247.630 to 247.650, 250.365 and 250.375 enacted in lieu of 247.251); repealed by 1975 c.766 §29]

REGISTRATION LISTS

247.905 [1969 c.421 §2; repealed by 1979 c.190 §431]

247.910 [Formerly 247.510; 1971 c.241 §9; 1975 c.678 §22; repealed by 1979 c.190 §431]

247.915 [1969 c.421 §§3, 4, 6; 1971 c.32 §1; 1975 c.779 §3; repealed by 1979 c.190 §431]

247.920 [Formerly 247.520; repealed by 1969 c.421 §11]

247.925 [1969 c.421 §5; 1971 c.32 §2; repealed by 1979 c.190 §431]

247.935 [1969 c.421 §7; repealed by 1979 c.190 §431]

247.940 Registration lists; delivery without charge to political parties. (1) Not later than the 21st day before any primary, general or special congressional election, a major political party qualified under ORS 248.006 or its affiliate within the county or a minor political party qualified under ORS 248.008 may request from the county clerk a list of electors of the county. The list shall contain the name, party affiliation, residence or mailing address and precinct name or number of each elector and shall be arranged in groups by election precinct. A major political party or its affiliate within the county or a minor political party may make no more than two separate requests under this subsection.

(2) If the county clerk receives a request under subsection (1) of this section, the clerk shall deliver the list not later than:

(a) Ten days after receiving the request; or

(b) The date requested, provided that the date requested is more than 10 days after the request was made and at least 10 days before the date of any primary, general or special congressional election.

(3) The county clerk shall not charge for preparation or delivery of the list supplied under this section. [1979 c.190 §63; 1979 c.519 §13a; 1989 c.637 §1; 1991 c.107 §2; 1993 c.797 §21]

247.945 Registration lists delivered to any person; charges. (1) The county clerk, upon request before the 45th day before a primary, general or special election, shall deliver to any person a list of electors. The lists shall be prepared in the manner requested, limited only to the capabilities of the Secretary of State or the county clerk.

(2) The county clerk shall collect and pay into the county treasury a charge for the actual cost of supplying lists under subsection (1) of this section.

(3) The county clerk shall keep a record of all persons to whom a list of electors is delivered under this section. [1969 c.421 §§8, 9; 1979 c.190 §64; 1989 c.637 §2]

247.955 Use of lists for commercial purposes prohibited; exceptions. (1) Except as provided in subsection (2) of this section, no person to whom a list of electors is made available or supplied under ORS 247.940 or 247.945 shall use any information in the list for commercial purposes.

(2) A person shall not be considered to use for commercial purposes any information contained in a list of electors made available or supplied under ORS 247.940 or 247.945 if

the person obtains the list of electors for the purposes of resale to candidates or political committees for political purposes only. [1969 c.421 §10; 1979 c.190 §65; 1989 c.637 §3]

DISCLOSURE OF RESIDENCE ADDRESS OF ELECTORS

247.965 When disclosure of residence address of elector exempt from Public Records Law; request for exemption. (1) Any elector may request the county clerk to keep the residence address of the elector exempt from disclosure as a public record under ORS 192.410 to 192.505.

(2) The county clerk shall keep the residence address of an elector exempt from disclosure as a public record under ORS 192.410 to 192.505 if the elector making the request demonstrates to the satisfaction of the county clerk that the elector's personal safety or the safety of any family member residing with the elector is in danger if the elector's address remains available for public inspection.

(3) Any elector whose residence address is exempt from disclosure under this section shall be considered an absent elector until the elector requests termination of the exemption or the elector is required to reregister to vote. The elector shall provide the county clerk with a mailing address other than the residence address of the elector that is exempt from disclosure.

(4) An exemption from disclosure granted under this section shall remain in effect until the elector requests termination of the exemption or the elector is required to reregister to vote. If the elector is required to reregister, the elector may apply for another exemption from disclosure.

(5) An exemption from disclosure granted under this section includes an exemption from disclosure of the residence address of an elector under ORS 247.940, 247.945 or 253.040.

(6) A county clerk shall not be held liable for:

(a) Granting or denying an exemption from disclosure under this section; or

(b) Any unauthorized release of a residence address granted an exemption from disclosure under this section. [1993 c.616 §2]

247.967 Conditions where disclosure of elector's residence address required; procedure. Notwithstanding any provision of ORS 192.410 to 192.505:

(1) The county clerk may disclose the residence address of an elector exempt from public disclosure under ORS 247.965 if the county clerk receives a court order or a re-

quest from any law enforcement agency to disclose the address.

(2) A petition may be filed with the circuit court of the county in which the administrative offices of the county clerk are located requesting disclosure of the residence address of any elector exempt from disclosure under ORS 247.965. The petitioner shall have the burden of showing the disclosure would not constitute an unreasonable invasion of privacy. [1993 c.616 §3]

247.969 Rules of Secretary of State defining "personal safety" for purposes of ORS 247.965. (1) The Secretary of State by rule shall define when the "personal safety" of an elector and the safety of any family member residing with the elector is in danger under ORS 247.965. Under the definitions, the elector's personal safety or the safety of any family member residing with the elector shall be considered in danger if the elector provides evidence that the elector or any family member residing with the elector has:

- (a) Been a victim of domestic violence;
- (b) Obtained orders issued under ORS 133.055;
- (c) Contacted a law enforcement officer involving domestic violence or other physical abuse;
- (d) Obtained a temporary restraining or other no contact order to protect the person from future physical harm; or

(e) Filed other criminal or civil legal proceedings regarding physical protection.

(2) A rule adopted by the Secretary of State under subsection (1) of this section may list other examples of evidence that the elector's personal safety or the safety of any family member residing with the elector is in danger. The other examples shall be similar in nature to the evidence described in subsection (1) of this section. [1993 c.616 §7]

247.971 Mailing address of elector required. Any elector whose residence address in a voter registration record is exempt from disclosure under ORS 192.445 shall provide the county clerk with a mailing address other than the residence address of the elector who is exempt from disclosure. [1993 c.787 §7]

Note: 247.971 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 247 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

PENALTIES

247.990 [Amended by 1955 c.695 §4; repealed by 1957 c.608 §231]

247.991 Penalties. (1) Violation of ORS 247.121 (2), 247.125, 247.340 (4) or 247.420 (2) is a Class C felony.

(2) Violation of ORS 247.121 (3) is a Class C misdemeanor. [1957 c.608 §48; 1961 c.114 §9; 1975 c.678 §23; 1979 c.190 §66; 1985 c.808 §9; 1985 c.833 §5; 1987 c.719 §13; 1987 c.733 §6]

ELECTIONS
