

**A-Engrossed**  
**House Bill 3044**

Ordered by the Senate July 1  
Including Senate Amendments dated July 1

Sponsored by COMMITTEE ON ELECTIONS AND RULES

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs elections officials to allow individual with disability to proceed to head of line of electors waiting to vote or deposit voted ballot.

**Authorizes Secretary of State to enter into agreements with not more than six counties to allow qualified electors with disabilities to vote by telephone in election other than primary, general or statewide special election. Sunsets January 2, 2012.**

**A BILL FOR AN ACT**

Relating to voting by individuals with disabilities.

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

**SECTION 1. Section 2 of this 2005 Act is added to and made a part of ORS chapter 254.**

**SECTION 2. (1) As used in this section, "individual with a disability" means an individual who:**

**(a) Has a physical or mental impairment that substantially limits one or more major life activities;**

**(b) Has a record of such an impairment; or**

**(c) Is regarded as having such an impairment.**

**(2) A county clerk or other elections official shall allow an individual with a disability to proceed directly to the head of any line of electors waiting to:**

**(a) Vote at a polling place, the office of the county clerk or any location described in ORS 254.472 or 254.474; or**

**(b) Deposit a voted ballot at a site designated under ORS 254.470 (2).**

**SECTION 3. Section 4 of this 2005 Act is added to and made a part of ORS chapter 254.**

**SECTION 4. (1) As used in this section:**

**(a) "Eligible election" means any election other than a primary election, general election or statewide special election.**

**(b) "Individual with a disability" has the meaning given that term in section 2 of this 2005 Act.**

**(c) "Qualified elector" means an individual with a disability who is unable to vote independently and privately as demonstrated by:**

**(A) Certification from a public body as defined in ORS 174.109 that provides services to individuals with disabilities;**

**(B) Certification from a licensed physician;**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

- 1       **(C) Certification from a county clerk;**  
2       **(D) A signed sworn statement or affirmation of the disability from the individual with a**  
3 **disability, accompanied by a signed sworn statement or affirmation of the disability by an-**  
4 **other individual knowledgeable about the individual with a disability; or**  
5       **(E) Certification as determined by the Secretary of State by rule.**  
6       **(2) The Secretary of State may enter into agreements with the county clerks of not more**  
7 **than six counties to allow qualified electors to vote by telephone in eligible elections in those**  
8 **counties.**  
9       **(3) In a county in which the Secretary of State and county clerk have entered into an**  
10 **agreement under subsection (2) of this section, a qualified elector in that county may vote**  
11 **by telephone in any eligible election in that county.**  
12       **(4) The Secretary of State shall adopt rules governing the procedures for allowing quali-**  
13 **fied electors to vote by telephone under this section.**  
14       **SECTION 5.** **Section 4 of this 2005 Act is repealed on January 2, 2012.**  
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