

Expanding Voting in County Elections:

Noncitizens, Individuals Under 18 Years of Age, and Incarcerated Individuals

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Multnomah County Charter Review Committee
Equitable Representation Subcommittee

Role of the Multnomah County Home Rule Charter

- The Charter establishes the structure and authority of County government, not specific operations or programs
- The Charter is often described as functioning like a constitution
 - Foundational principles that guide operations, implementation
 - Balancing: enough detail to convey intent with enough flexibility to allow for adjustments as circumstances change and lessons are learned in implementation
- The Charter can be amended only by the voters—CRC, initiative, referral

**Multnomah County
Charter and County Code
currently do not address
voter qualifications or
eligibility**

**State law is currently the
primary source of law
relating to voter
qualifications and
eligibility**

Noncitizens

Oregon Constitution, Article II:

- Section 1: “All elections shall be free and equal.”
- Section 2(1): “Every citizen of the United States is entitled to vote in all elections not otherwise provided for by this Constitution..”

ORS 247.009: “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.”

*Elector means “an individual qualified to vote under Article II, section 2, Oregon Constitution.” ORS 247.002.

ORS 247.171(3): Voter registration card must indicate a person is a U.S. citizen

Individuals Under 18

Oregon Constitution: Article II, section 2(1) provides, in part, “(1) Every citizen of the United States is entitled to vote in all elections not otherwise provided for by this Constitution if such citizen:

(a) Is 18 years of age or older[.]”

ORS 247.016: “[A]n otherwise qualified person who is at least 16 years of age may register to vote” but “may not vote in an election until the person attains the age of 18 years.”

**SJR 22 (2019)*

Incarcerated Individuals

Oregon Constitution: Article II, section 3, provides, in part, “The privilege of an elector, upon conviction of any crime which is punishable by imprisonment in the penitentiary, shall be forfeited, unless otherwise provided by law.”

ORS 137.281: Cannot “[e]xercis[e] the right to vote”:

- From date of being sentenced to incarceration for felony to date of release or conviction is set aside
- From date of sentencing to imprisonment in any federal correctional institution to date of discharge, parole, or conviction set aside

**HB 4147 (2022)*

**Expanding voting
eligibility in County
elections is untested in
Oregon**

**Where does the
subcommittee go from
here?**