

Checks and Balances in Oregon: The Post-Election Day Process

American elections are run by local and state officials alongside tens of thousands of our friends and neighbors from both political parties. These bipartisan teams count, canvass, and audit every ballot — whether in person or by mail — verifying identities, inspecting ballots, and ensuring each is counted as intended. This rigorous process leads to the final step: certification. This is the straightforward phase of the process, in which election officials declare the winners.

This memo outlines the checks and balances in Oregon that ensure all state and local rules are followed. Importantly, this is nonpartisan educational research intended for 501(c)(3)-compliant purposes only. It is not to be used for any partisan, political, or electioneering activities by any organization.

Counting: Technology and Bipartisan Oversight Work to Triple-Check Results for Accuracy

Oregon law mandates specific processes for the counting of votes, and all counties use electronic tabulation equipment.¹ Counting processes require participation by a team of bipartisan election workers and include equipment testing and periodic reconciliation of results.

Quality-Tested Technology Leads to Trustworthy Results

Ballots are counted at a central counting location. Oregon law requires the tabulation equipment to be tested three times: 1) a logic and accuracy test at least seven days before the election; 2) a public certification test at least seven days before the election; and 3) after ballots are counted but before the election results are certified.²

In partisan elections, political parties are each allowed to designate one observer at these tests.³

¹ O.R.S. 246.560(2); although Oregon allows hand counting, no counties plan to use that tabulation method in November 2026, according to [Verified Voting](#).

² O.R.S. 254.235; 254.525

³ O.R.S. 254.235(2)

Transparent Processes Instill Confidence

Oregon conducts elections by mail, and the majority of Oregon voters return their ballots by mail to the county clerk's office or at drop boxes. Ballots are collected from drop boxes by authorized personnel only, and by bipartisan teams when possible.⁴ Mail ballots may be signature verified upon receipt, and voters must be notified of any missing or mismatched signatures and allowed to cure their ballots by the 21st day after Election Day.⁵

Ballots may be cast in person at the county clerk's office or at other designated voting booths.⁶ These ballots are processed in the same manner as ballots returned by mail or in drop boxes. All ballots that must be stored or transferred until they can be processed are kept in securely sealed ballot boxes.⁷

Upon receipt, bipartisan teams of election workers can begin processing and scanning ballots into tabulators at a central counting location.⁸ This process continues beyond Election Day because ballots that are postmarked by Election Day and received within seven days are accepted for verification and tabulation.⁹ Election results, however, cannot be released until after 8 p.m. on Election Day.¹⁰

Tabulation machines provide a paper record copy of the results.¹¹ Once all ballots have been tabulated, election workers reconcile ballots to ensure that the number of ballots tabulated matches the number of ballots processed; if the counts do not match, election workers must identify and resolve the discrepancy.¹² Election workers must then prepare abstracts of votes for all races and ballot measures before delivering them to the county clerk.¹³

Both Parties Participate Throughout the Process

The county clerk ensures that the election workers assigned to open, handle, prepare, and count ballots are not all from the same political party.¹⁴ Political parties are also allowed to designate watchers to observe the receiving and counting of ballots.¹⁵

Partial Recounts and Audits Give a Final Check Before Canvassing

To further ensure the accuracy of electronically tabulated results, after each primary, general, and special election, the county clerk is required to perform either a hand recount

⁴ [Oregon 2024 Vote by Mail Procedures Manual](#) (VBM Manual), p. 26.

⁵ O.R.S. 254.478(1); ORS 254.431(2)(a)

⁶ O.R.S. 254.472; 254.474

⁷ VBM Manual, p. 63

⁸ O.R.S. 254.478(1); O.R.S. 254.476; VBM Manual, p. 34

⁹ O.R.S. 254.470

¹⁰ Or. Admin. Code § 165-007-0550(9)

¹¹ O.R.S. 254.485(6)(b)

¹² VBM Manual, p. 54

¹³ O.R.S. 254.545; VBM Manual, p. 54

¹⁴ O.R.S. 254.476(1)

¹⁵ O.R.S. 254.482

or a risk-limiting audit of select races.¹⁶

If a county chooses to conduct a hand recount, no later than 15 business days after the election, the secretary of state must inform county clerks about which contests and which precincts or ballot batches must be hand counted to verify the accuracy of the election results.¹⁷ The hand recount must take place between the 27th and 35th days after the election. The county clerk must provide the results to the secretary of state, who must publish the results on their website.¹⁸

If a county chooses to conduct a risk-limiting audit, the clerk must select one or more single-county races to audit or coordinate with the secretary of state and other counties to conduct a multi-county audit.¹⁹ The secretary of state establishes a “risk limit,” which is the “largest acceptable risk,” which is set at 0.10%.²⁰ The audit is open to the public.²¹ It must be completed by the 35th day after the election.²²

Canvassing: A “Non-Discretionary Duty”

Canvassing is the process of compiling vote totals reported in returns from throughout a jurisdiction. In Oregon, canvassing occurs at the county and state levels.

County Canvass: An Administrative Duty

The county clerk is responsible for conducting the county canvass.²³ They must complete the preparation of abstracts of votes and record a summary of all votes cast in the county for each office, candidate for office, and ballot measure. The clerk must sign and certify the record and deliver a copy of the abstracts of votes to the appropriate officials no later than the 27th day after the election.²⁴

State Canvass: The Secretary of State Compiles the Results

The secretary of state is responsible for conducting the state canvass for all races, except for governor.²⁵ The state canvass must occur no later than the 37th day after the election.²⁶ The secretary of state compiles the abstracts of votes from all counties and certifies the official statewide results for each candidate and ballot measure.²⁷

¹⁶ O.R.S. 254.529(1)

¹⁷ O.R.S. 254.529(4)

¹⁸ O.R.S. 254.529(5)

¹⁹ O.R.S. 254.532(3)

²⁰ Or. Admin. Code § 165-007-0450(2); O.R.S. 254.532

²¹ O.R.S. 254.532(4)(a)

²² O.R.S. 254.532(4)(f)

²³ O.R.S. 254.545(1)

²⁴ O.R.S. 254.545(2) and (3)

²⁵ O.R.S. 254.555(1)(a); statute is silent on who ultimately canvasses the gubernatorial race.

²⁶ O.R.S. 254.555(1)

²⁷ Ibid.

Certification: The Voters Have Spoken

Once the state canvass is complete, winning candidates receive a certificate of election. For races that are determined by the county canvass, the county clerk issues the certificate of election to winning candidates.²⁸ For all other offices, the secretary of state issues a certificate of election to winning candidates.²⁹

All vote by mail records, including ballots, must be retained for two years for elections with federal races and for 90 days for all other elections.³⁰ Following an Electoral College vote to select the president of the United States, the secretary of state must promptly transmit a Certificate of Ascertainment to the archivist of the United States by the deadline provided under federal law.³¹

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²⁸ O.R.S. 254.545(5)

²⁹ O.R.S. 254.555(1)(c)

³⁰ Or. Admin. Code § 166-150-0035(14)

³¹ 3 U.S. Code § 5