



STATE OF RHODE ISLAND BOARD OF ELECTIONS

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Date agenda posted: March 15, 2024

LEGISLATIVE COMMITTEE AGENDA

THE BOARD OF ELECTIONS LEGISLATIVE COMMITTEE WILL MEET IN PERSON AT ITS OFFICES LOCATED AT 2000 PLAINFIELD PIKE, SUITE A, CRANSTON, RHODE ISLAND. THE PUBLIC IS WELCOMED TO ATTEND THIS MEETING IN PERSON. ADDITIONALLY, THE PUBLIC MAY VIEW THIS MEETING ONLINE BY USING THE FOLLOWING YOUTUBE LINK
https://www.youtube.com/channel/UCdNXljrf37_kHuBqZtjSbWQ/videos

PROCEDURES FOR REMOTE VIEWING FOR THIS MEETING ARE ALSO POSTED ON THE BOARD WEBSITE: www.elections.ri.gov

Tuesday, March 19, 2024 at 1:00 P.M.

1. The Committee may discuss and vote upon campaign finance and election legislation submitted by other persons and entities to the General Assembly, as described in the attached legislative summary during the current legislative term. The Committee will present a report of recommendations on this legislation to the full Board at an open meeting scheduled on the same day, March 19, at 2:00 p.m.

All meetings of the Board are open meetings and all interested parties are invited to attend. Any questions concerning the agenda should be directed to Miguel J. Nunez, Executive Director, at 401-222-2345. Anyone wishing to attend this meeting who may have special needs for access or services such as hearing assistance or interpreter services please contact the Board as soon as possible in advance of the meetings.

STATE BOARD OF ELECTIONS

Miguel J. Nunez
Executive Director

2024 -- H 7664

LC004662

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT
CANDIDATES

Introduced By: Representatives Speakman, Donovan, Alzate, Tanzi, Morales, McGaw,
Cortvriend, Fogarty, Ajello, and Handy

Date Introduced: February 15, 2024

Referred To: House State Government & Elections

(Secretary of State)

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 17-14-1, 17-14-4, 17-14-10, 17-14-11, 17-14-12 and 17-14-14 of
2 the General Laws in Chapter 17-14 entitled "Nomination of Party and Independent Candidates" are
3 hereby amended to read as follows:

4 **17-14-1. Declarations of candidacy.**

5 During the ~~last~~ third consecutive Monday, Tuesday, and Wednesday in ~~June~~ May in the
6 even years and during the thirty-ninth (39th) and fortieth (40th) days preceding a primary election
7 for a special election for state or local office, or for an election for state or local office regularly
8 scheduled for a time other than the biennial general statewide election, or during the sixty-seventh
9 (67th) and sixty-eighth (68th) days preceding a primary election for a special election for federal
10 office, or for an election for federal office regularly scheduled for a time other than the biennial
11 general statewide election, each voter desiring to be a candidate at the upcoming primary or an
12 independent candidate on final nomination papers shall, on a form that shall be provided by the
13 secretary of state, file a declaration of their candidacy not later than four o'clock (4:00) p.m. of the
14 last day for the filing with the secretary of state for congressional and statewide general offices, or
15 with the local board of the place of the candidate's voting residence for general assembly, or state
16 committee or senatorial and representative district committee, or with the appropriate local board
17 for local officers. The declaration shall be signed by the candidate as the candidate's name appears
18 on the voting list. The signature shall be accepted as valid if it can be reasonably identified to be

1 the name and signature of the voter it purports to be. A variation of the voter's signature by the
2 insertion or omission of identifying titles or by the substitution of initials for the first or middle
3 names or both shall not in itself be grounds for invalidation of the signature. The declaration shall
4 also include the following information:

5 (1) The candidate's name as it appears on the voting list, subject to the same provisions as
6 relate to the voter's signature on the declaration;

7 (2) The address as it appears on the voting list, provided that an address that is substantially
8 the same as the address on the voting list shall be valid;

9 (3) The party declaration if seeking to run in a party primary;

10 (4) The office sought;

11 (5) The place and date of birth;

12 (6) The length of residence in the state and in the town or city where the candidate resides;

13 (7) A certification that the candidate is neither serving a sentence, including probation or
14 parole, for which the candidate was imprisoned upon final conviction of a felony imposed on any
15 date nor serving any sentence, whether incarcerated or suspended, on probation or parole, upon
16 final conviction of a felony committed after November 5, 1986;

17 (8) A certification that the candidate has not been lawfully adjudicated to be non compos
18 mentis, of unsound mind;

19 (9) In the case of candidates for party nomination, a certification that the candidate has not
20 been a member of a political party other than the declared party within ninety (90) days of the filing
21 date, except in the case of candidates for party nomination for a special election for federal office,
22 or for an election for federal office regularly scheduled for a time other than the biennial general
23 statewide election, that person shall not have been a member of a political party other than the
24 declared political party within thirty (30) days of the filing of their declaration of candidacy; and

25 (10) If a person is a candidate for a state or local office, a certification that the person has
26 not within the preceding three (3) years served any sentence, incarcerated or suspended, on
27 probation or parole, for a crime committed after November 5, 1986, upon a plea of nolo contendere
28 or guilty or upon a conviction of a felony or for a misdemeanor for which a sentence of
29 imprisonment for six (6) months or more, whether suspended or to be served was imposed.

30 **17-14-4. Preparation of nomination papers for candidates — Combination of**
31 **endorsed candidates — Furnishing of nomination papers to candidates.**

32 (a) Upon receipt of the declarations referred to in § 17-14-1, within two (2) business days
33 of the final date for filing endorsements, the secretary of state for statewide candidates and the local
34 board for general assembly and local candidates shall prepare nomination papers for each person

1 who has filed a declaration of candidacy as provided in § 17-14-1. A minimum of three (3) sets of
2 nomination papers shall be prepared for each candidate whose name appears on nomination papers
3 containing the name of a candidate for general assembly and for local office. Nomination papers
4 for voters from the city of Providence for the offices enumerated in § 17-14-1 shall be furnished by
5 the secretary of state. Nomination papers shall be prepared with the name of the candidate as it
6 appears on the voting list, notwithstanding that the candidate may have signed his or her declaration
7 of candidacy other than as the candidate's name appears on the voting list. Candidates for
8 nomination for different offices endorsed by the appropriate committee on any party shall be
9 combined on the same nomination papers. The names of candidates for different offices not
10 endorsed by the appropriate committee of any party shall not be combined on the same nomination
11 papers. Nomination papers for candidates for general assembly shall be furnished by the local board
12 of the general assembly candidate. Nomination papers shall be furnished to the local boards by the
13 secretary of state and each shall bear the imprint of the state coat of arms and any additional
14 language required by law. Nomination papers shall be appropriately marked or color coded to
15 indicate the different political parties, the endorsed and unendorsed candidates of those parties, and
16 independent candidates.

17 (b) ~~General assembly and local candidates~~ Candidates for nomination may, at their own
18 expense, have nomination papers duplicated in exact appearance and as prescribed in subsection
19 (a) of this section. ~~The signatures obtained on the duplicated nomination papers shall be considered~~
20 ~~valid if, and only if, prior to any signatures being affixed, the duplicated nomination papers have~~
21 ~~been time stamped by the secretary of state or local board of canvassers which issued the original~~
22 ~~nomination papers.~~

23 (c) Nomination papers furnished by the secretary of state shall be personally issued to the
24 candidate, or in the case of combined nomination papers to one of the candidates, for whom they
25 were prepared, or to an individual presenting written authorization from the candidate, or one of
26 the candidates appearing on them, to receive the nomination papers.

27 **17-14-10. Affidavit of person obtaining signatures.**

28 Every person who obtains signatures of voters upon nomination papers shall under oath
29 sign the following statement:

30 "I, _____, of the city or town of
31 _____, under oath, make affidavit and say that the
32 signers of the within nomination paper ~~(or papers)~~ did so sign the paper ~~(or papers)~~ in my presence.

33 _____

34 State of Rhode Island

1 County of _____, ~~Se:~~
2 Subscribed and sworn to before me this _____ day of _____,
3 ~~A.D.~~ 20_____.
4 _____
5 Signature of Notary Public"
6 _____
7 Printed Name of Notary Public
8 _____
9 Notary Public ID Number
10 _____
11 Date Commission Expires"

12 **17-14-11. Checking and certification of nomination papers — Challenge.**

13 (a) Each nomination paper for party and independent candidates shall be submitted before
14 four o'clock (4:00) p.m. on the ~~sixtieth (60th)~~ seventy-fourth (74th) day before the primary to the
15 local board of the city or town where the signers appear to be voters or, in the case of special
16 elections for state and local office, on the twenty-eighth (28th) day before the primary, or in the
17 case of special elections for federal office, on the fifty-third (53rd) day before the primary.
18 Nomination papers for independent presidential candidates and presidential candidates of political
19 parties, other than those defined in § 17-1-2(9), shall be filed not later than ~~sixty (60)~~ sixty-seven
20 (67) days prior to the general election. Each local board shall immediately proceed to check
21 signatures on each nomination paper filed with it against the voting list as last canvassed or
22 published according to law.

23 (b) The local boards shall certify a sufficient number of names appearing on the nomination
24 papers that are in conformity with the requirements of § 17-14-8 to qualify the candidate for a
25 position on the ballot, and after considering any challenge under this section and, if necessary,
26 certifying any additional valid names, shall immediately file nomination papers for statewide
27 office, general assembly, and state and district committee candidates with the secretary of state;
28 provided, that nomination papers for local candidates shall be retained by the local board.

29 (c) If any candidate, any individual presenting written authorization from the candidate, or
30 the chairperson of any party committee questions the validity or authenticity of any signature on
31 the nomination paper, the local board shall immediately and summarily decide the question, and
32 for this purpose, shall have the same powers as are conferred upon the board by the provisions of
33 § 17-14-14.

34 (d) If any challenged signature is found to be invalid, for any reason in law, or forged, then

1 the signature shall not be counted.

2 (e) The local canvassing clerk shall immediately notify the state board in writing and via
3 electronic mail if the local canvassing clerk suspects a consistent pattern of forgery as prescribed
4 by § 17-23-17 on the nomination papers of a local, state, or federal candidate.

5 (1) The state board, upon notification of allegations of any consistent pattern of suspected
6 forged signatures on nomination papers of a local, state, or federal candidate, shall review the
7 allegations and, if determined to be with reasonable cause, shall, as soon as feasible notify all
8 corresponding local canvassing clerks of the allegations of suspected forgery.

9 (2) The state board, if it deems necessary, shall order a review of all nomination papers of
10 a local, state, or federal candidate whose nomination papers include a consistent pattern of
11 suspected forged signatures as prescribed in subsection (e) of this section. The state board, in
12 consultation with the elections committee of the Rhode Island town and city clerk's association,
13 shall promulgate rules and regulations on the process to review nomination papers of a local, state,
14 or federal candidate whose nomination papers include a consistent pattern of suspected forged
15 signatures as prescribed in subsection (e) of this section.

16 (3) The state board shall explicitly determine, in writing and via electronic mail to the
17 secretary of state, the findings of the review of local, state, or federal candidate whose nomination
18 papers include suspected forged signatures as prescribed in subsection (e) of this section, and
19 whether the determination affects a candidate's qualification for a position on the ballot.

20 **17-14-12. Filing of nomination papers.**

21 All nomination papers for state offices or officers and all certified lists of candidates for
22 local offices or officers shall be filed in the office of the secretary of state (the certified lists by the
23 respective local boards), not later than ~~fifty-four (54)~~ sixty-eight (68) days before the date of the
24 primary held to nominate candidates for general election; but when there is a primary to nominate
25 candidates for any office mentioned in § 17-15-7 to be voted upon at a special election for state and
26 local office, all nomination papers and lists of local candidates shall be filed in the office on or
27 before the twenty-sixth (26th) day preceding the day of the special primary election, or when there
28 is a primary to nominate candidates for any office listed in § 17-15-7 to be voted upon at a special
29 election for federal office, all nomination papers and lists of local candidates shall be filed in the
30 office on or before the forty-ninth (49th) day preceding the day of the special primary election.
31 Nomination papers for independent presidential candidates and presidential candidates of political
32 parties other than those defined in § 17-1-2(9) shall be filed in the office of the secretary of state
33 by the local boards of canvassers not later than ~~fifty-four (54)~~ sixty-one (61) days before the date
34 of the election.

1 **17-14-14. Hearings on objections — Witnesses — Notice.**

2 (a) All objections to nomination papers which are required to be filed with the secretary of
3 state shall be considered by the state board. The secretary of state shall, when requested by the state
4 board, immediately deliver to the board the nomination papers to which objection has been filed.
5 The state board may, at the hearing on the objections, summon witnesses, administer oaths, and
6 require the production of books, papers, and documents. The witnesses shall be summoned in the
7 same manner, be paid the same fees, and be subject to the same penalties for default as witnesses
8 before the superior court. A summons may be sworn to and an oath may be administered by the
9 board. When an objection has been filed, notice of the objection shall be immediately given by
10 registered or certified mail or by personal service by the state board to the candidates, addressed to
11 the residence of the candidate as given in the nomination papers, and to any party committee
12 interested in the nomination to which objection is made. The state board shall promulgate rules and
13 regulations on challenges to nomination papers filed by any candidate, any individual presenting
14 written authorization from the candidate, or the chairperson of any party committee that questions
15 the validity or authenticity of any signature on the nomination paper of a candidate.

16 (b) Additional notice may also be given by the state board if it sees fit to do so. The decision
17 of the board shall be rendered within ~~two (2) days~~ six (6) days for nomination papers for candidates
18 participating in a primary election and twelve (12) days for nomination papers for candidates not
19 participating in a primary election, exclusive of Sundays and holidays, after filing of objections and
20 shall immediately be certified by the state board to the secretary of state.

21 (c) All objections to nomination papers ~~for~~ other than state ~~officers~~ and federal candidates
22 shall be considered by the local board in the same manner and with the same effect as provided in
23 subsection (a) of this section for hearing of objections to nomination papers for state ~~officers~~ and
24 federal candidates by the state board.

25 SECTION 2. Section 17-15-1 of the General Laws in Chapter 17-15 entitled "Primary
26 Elections" is hereby amended to read as follows:

27 **17-15-1. Date of primaries.**

28 A primary election for the nomination of candidates for each political party shall be held
29 in each voting district in the manner provided in this chapter on the ~~eighth Tuesday~~ last Tuesday in
30 August preceding biennial state elections.

31 SECTION 3. This act shall take effect on January 1, 2025.

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LC004662
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EXPLANATION
BY THE LEGISLATIVE COUNCIL

OF

A N A C T

RELATING TO ELECTIONS -- NOMINATION OF PARTY AND INDEPENDENT
CANDIDATES

1 This act would provide a process for local canvassing clerks to notify the state board of
2 elections regarding patterns of forgery, would amend certain filing dates to provide additional time
3 to review and adjudicate challenges to nomination papers and would amend the date of the primary
4 election to ensure distribution of mail ballots overseas and allow additional time to adjudicate
5 challenges.

6 This act would take effect on January 1, 2025.

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LC004662
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2024 -- H 7765

LC005142

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO ELECTIONS -- THE INFORMED VOTER ACT

Introduced By: Representatives Nardone, Quattrocchi, and Chippendale

Date Introduced: February 28, 2024

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 17 of the General Laws entitled "ELECTIONS" is hereby amended by
2 adding thereto the following chapter:

3 CHAPTER 30

4 THE INFORMED VOTER ACT

5 17-30-1. Establishment and posting of notice.

6 Any group, entity, organization, whether private or nonprofit, or any nursing home, elder
7 care facility, elderly housing facility, disabled housing facility or any other housing or facility
8 serving the elderly or disabled, that receives any state or federal funding of any nature, must
9 establish two (2) policies and prominently display them at or near the entrance or other conspicuous
10 place; to wit:

11 (1) We do not allow solicitation of our residents or clients by political candidates, their
12 agents, parties, operatives or surrogates during any time of the day or year; and

13 (2) We allow any candidate, their agents, parties, operatives or surrogates to visit our
14 residents or clients; however, the time and purpose of the candidate's, agents', operatives' or
15 surrogates' appearance will be recorded and maintained in a book or log publicly displayed with
16 the receptionist or other public-facing staff member of this entity.

1 SECTION 2. This act shall take effect upon passage.

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LC005142

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EXPLANATION
BY THE LEGISLATIVE COUNCIL

OF

A N A C T
RELATING TO ELECTIONS -- THE INFORMED VOTER ACT

1 This act would require that any group, or other entity such as a nursing home, elder care
2 facility that receives any governmental funding, conspicuously post a notice that political
3 candidates or their agents are not permitted to solicit their residents or clients and that political
4 candidates or their agents are allowed to visit, however, the time and date of their visits would be
5 maintained in a book by the facility.

6 This act would take effect upon passage.

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LC005142
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2024 -- H 7766

LC005167

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO ELECTIONS -- GENERAL PROVISIONS

Introduced By: Representatives Place, and Shanley

Date Introduced: February 28, 2024

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-1-2 of the General Laws in Chapter 17-1 entitled "General
2 Provisions" is hereby amended to read as follows:

3 **17-1-2. Definitions.**

4 For the purposes this title, except as may otherwise be required by the context:

5 (1) "Election" means the filling of any public office or the determination of any public
6 question by vote of the electorate, and includes without limitation any state, town, or city office or
7 question, and any political party primary election for the nomination of any candidate for public
8 office; except that it shall not include a financial town meeting or a meeting to elect officers of a
9 fire, water, or sewer district;

10 (2) "General election" means an election held on the first Tuesday next after the first
11 Monday in November in even numbered years for the election of members of the general assembly
12 and/or for the election of general officers, and/or for the election of presidential electors for
13 president/vice-president of the United States;

14 (3) "General officer" means an officer designated as a general officer by chapter 2 of this
15 title;

16 (4) "Independent candidate" means a candidate who has no affiliation with any political
17 party;

18 (5) "Local board" means a town or city board of canvassers, board of canvassers and
19 registration, canvassing authority, or any other local board, commission, or officer empowered by

1 law to have custody of the permanent registration records;

2 (6) "Local election" means any election limited to the electorate of any city or town, or any
3 part, at which any city, town, ward, or district officers are to be chosen, or any elective meeting at
4 which a question is to be submitted to the voters of a city, town, or any subdivision of a city or
5 town, but it shall not include a financial town meeting;

6 (7) "Party member" means any person who is a member of a designated political party
7 pursuant to § 17-9.1-23;

8 (8) "Party voter" means any qualified voter who is eligible to vote at the primary election
9 of a political party;

10 (9) "Political party" or major "party" means: ~~(i) any political organization which, at the~~
11 ~~next preceding general election for the election of general officers, nominated a candidate for~~
12 ~~governor, and whose candidate for governor at the election polled at least five percent (5%) of the~~
13 ~~entire vote cast in the state for governor, or (ii) any political organization which at the next~~
14 ~~preceding general election for the election of a president of the United States nominated a candidate~~
15 ~~for president and whose candidate for president at the election polled at least five percent (5%) of~~
16 ~~the entire vote cast in the state for president, or (iii) any political organization which, on petition~~
17 ~~forms provided to the chairperson of the organization by the state board of elections, obtains the~~
18 ~~signatures and addresses of that number of registered qualified voters equal to five percent (5%) of~~
19 ~~the entire vote cast in the state for governor or president in the immediately preceding general~~
20 ~~election. All the signatures must be obtained no earlier than January 1 of the year in which the~~
21 ~~political organization desires to place a candidate or candidates on any ballot as a "party" candidate.~~
22 ~~If the political organization wishes to select its nominees in a primary election, the petitions, bearing~~
23 ~~the requisite number of valid signatures, shall be presented to the appropriate local boards of~~
24 ~~canvassers no later than June 1 of the same year. If the petitions are validated by the local boards~~
25 ~~as containing the requisite number of valid signatures, the political organization shall be deemed to~~
26 ~~be a political party for all elections held during the year and may select its nominees in a primary~~
27 ~~election. If the political organization does not wish to select its nominees in a primary election, then~~
28 ~~the petitions need not be returned to local boards of canvassers until August 1 of the same year. An~~
29 ~~organization qualifying as a political party through the petition process shall qualify as a political~~
30 ~~party only during the year in which signatures are obtained unless the candidates for governor or~~
31 ~~president of the United States of the party at a general election held in the year, shall receive five~~
32 ~~percent (5%) of the vote as provided in this subdivision for either governor or president of the~~
33 ~~United States. If the candidates do not receive five percent (5%) of the vote, the organization shall~~
34 ~~no longer qualify as a political party unless and until it shall, in a subsequent year, once again~~

1 ~~qualify by the submission of petitions~~ at the last preceding general election, nominated a candidate
2 for President, United States Senator, Representative of Congress, governor, lieutenant governor,
3 attorney general, secretary of state, or state treasurer, who received at least two percent (2%) of the
4 total votes cast in the state, or has one or more members serving in the general assembly, or at least
5 five thousand (5,000) votes were enrolled in the party as of June 1 of a general election year;

6 "Minor parties" means: any political organization which has yet to reach five thousand
7 (5,000) registered voters or whose candidate(s) received less than two percent (2%) of the total
8 votes cast in the previous election;

9 (10) "Polling place" means the room in which any election or elective meeting is
10 conducted;

11 (11) "Primary election" means any election to select the candidates of a political party;

12 (12) "Proposition" or "public question" means any question put to a referendum of the
13 electorate of the entire state or any part of it;

14 (13) "Qualified voter" means any person who is eligible to vote under the requirements of
15 age, residence, and citizenship prescribed by the state constitution and who is duly registered to
16 vote, or who is exempt from registration, pursuant to this title, and who is not otherwise disqualified
17 as a voter pursuant to law;

18 (14) "Special election" means any election other than a local election or primary election
19 which is not held on a general election day;

20 (15) "State board" means the state board of elections constituted pursuant to this title;

21 (16) "State election" means any election at which any presidential electors, senator or
22 representatives in congress, general officers of the state, or members of the general assembly are to
23 be chosen, or at which a public question or an amendment to the Constitution is submitted to the
24 electors of the state;

25 (17) "State officer" means the governor, lieutenant governor, secretary of state, attorney
26 general, general treasurer, state senator, and state representative;

27 (18) "Vacancy in office" means the condition resulting from any failure to elect or appoint
28 an eligible and qualified person to public office, or the failure of any person duly elected or
29 appointed to qualify, or from the death, resignation, or removal of an incumbent prior to the
30 expiration of his or her term of office and where no fixed term is prescribed upon the death,
31 resignation, or removal;

32 (19) "Voting list" means the complete list of all voters prepared from the information
33 contained in the original permanent registration records in the possession of the local board of
34 canvassers;

- 1 (20) "Warden" includes "moderator" and vice versa;
- 2 (21) Words importing the masculine gender shall include the feminine gender.
- 3 SECTION 2. This act shall take effect upon passage.

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LC005167
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ELECTIONS -- GENERAL PROVISIONS

- 1 This act would redefine "Political Party" and define and distinguish between "major
- 2 parties" and "minor parties" based on the total number of votes a party's candidate received in the
- 3 previous election.
- 4 This act would take effect upon passage.

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LC005167
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2024 -- H 7847

LC005442

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO ELECTIONS -- RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND
EXPENDITURES REPORTING

Introduced By: Representative Brian C. Newberry

Date Introduced: March 01, 2024

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-25-3 and 17-25-10.1 of the General Laws in Chapter 17-25
2 entitled "Rhode Island Campaign Contributions and Expenditures Reporting" are hereby amended
3 to read as follows:

4 **17-25-3. Definitions. [Effective January 1, 2024.]**

5 As used in this chapter, unless a different meaning clearly appears from the context:

6 (1) "Accounts payable" means credit extended to a candidate or political committee, for
7 campaign expenditures; provided that, the credit extended is in the ordinary course of the vendor's
8 business, and the terms are substantially similar, in risk and amount, to extensions of credit to
9 nonpolitical customers.

10 (2) "Business entity" means any corporation, whether for profit or not for profit, domestic
11 corporation or foreign corporation, as defined in § 7-1.2-106, financial institution, cooperative,
12 association, receivership, trust, holding company, firm, joint stock company, public utility, sole
13 proprietorship, partnership, limited partnership, or any other entity recognized by the laws of the
14 United States and/or the state of Rhode Island for the purpose of doing business. The term "business
15 entity" shall not include a political action committee organized pursuant to this chapter or a political
16 party committee or an authorized campaign committee of a candidate or office holder. The term
17 "business entity" shall not include any exempt nonprofit as defined herein or any organization
18 described in § 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding

1 internal revenue code of the United States, as amended from time to time, for the purposes of
2 chapter 25.3 of this title.

3 (3) "Candidate" means any individual who undertakes any action, whether preliminary or
4 final, which is necessary under the law to qualify for nomination for election or election to public
5 office, and/or any individual who receives a contribution or makes an expenditure, or gives their
6 consent for any other person to receive a contribution or make an expenditure, with a view to
7 bringing about their nomination or election to any public office, whether or not the specific public
8 office for which they will seek nomination or election is known at the time the contribution is
9 received or the expenditure is made and whether or not they have announced their candidacy or
10 filed a declaration of candidacy at that time.

11 (4) "Conduit" or "intermediary" means any person who receives and forwards an
12 earmarked contribution to a candidate or a candidate's authorized committee, except as otherwise
13 limited in this chapter.

14 (5) "Contributions" and "expenditures" include all transfers of money, credit or debit card
15 transactions, on-line or electronic payment systems such as "pay pal," paid personal services, or
16 other thing of value to or by any candidate, committee of a political party, or political action
17 committee or ballot question advocate. A loan shall be considered a contribution of money until it
18 is repaid.

19 (6) "Covered transfer" means any transfer or payment of funds by any person, business
20 entity, or political action committee to another person, business entity, or political action committee
21 if the person, business entity, or political action committee making the transfer: (i) Designates,
22 requests, or suggests that the amounts be used for independent expenditures or electioneering
23 communications or making a transfer to another person for the purpose of making or paying for
24 such independent expenditures or electioneering communications; (ii) Made such transfer or
25 payment in response to a solicitation or other request for a transfer or payment for the making of
26 or paying for independent expenditures or electioneering communications or making a transfer to
27 another person for the purpose of making or paying for such independent expenditures or
28 electioneering communications; (iii) Engaged in discussions with the recipient of the transfer or
29 payment regarding independent expenditures or electioneering communications or making a
30 transfer to another person for the purpose of making or paying for such independent expenditures
31 or electioneering communications; or (iv) Made independent expenditures or electioneering
32 communications in an aggregate amount of five thousand dollars (\$5,000) or more during the two-
33 year (2) period ending on the date of the transfer or payment, or knew or had reason to know that
34 the person receiving the transfer or payment made such independent expenditures or electioneering

1 communications in such an aggregate amount during that two-year (2) period.

2 (A) Exceptions: The term "covered transfer" does not include:

3 (I) A transfer or payment made by a person, business entity, or political action committee
4 in the ordinary course of any trade or business conducted by the person, business entity, or political
5 action committee or in the form of investments made by the person, business entity, or political
6 action committee; or

7 (II) A transfer or payment made by a person, business entity, or political action committee
8 if the person, business entity, or political action committee making the transfer prohibited, in
9 writing, the use of such transfer or payment for independent expenditures, electioneering
10 communications, or covered transfers and the recipient of the transfer or payment agreed to follow
11 the prohibition and deposited the transfer or payment in an account that is segregated from any
12 account used to make independent expenditures, electioneering communications, or covered
13 transfers.

14 (7) For the purposes of chapter 25.3 of this title, "donation" means all transfers of money,
15 credit or debit card transactions, on-line or electronic payment systems such as "pay pal," paid
16 personal services, or other thing of value to or by any person, business entity, or political action
17 committee. A loan shall be considered a donation of money until it is repaid.

18 (8) For the purposes of chapter 25.3 of this title, "donor" means a person, business entity,
19 or political action committee that makes a donation.

20 (9) "Earmarked" means a designation, instruction, or encumbrance, whether direct or
21 indirect, express or implied, oral or written, that results in all or any part of a contribution or
22 expenditure being made to, or expended on behalf of, a clearly identified candidate or a candidate's
23 authorized committee.

24 (10) "Election" means any primary, general, or special election or town meeting for any
25 public office of the state, municipality, or district, or for the determination of any question
26 submitted to the voters of the state, municipality, or district.

27 (11) "Election cycle" means the twenty-four month (24) period commencing on January 1
28 of odd number years and ending on December 31 of even number years; provided, with respect to
29 the public financing of election campaigns of general officers under §§ 17-25-19, 17-25-20, and
30 17-25-25, "election cycle" means the forty-eight month (48) period commencing on January 1 of
31 odd numbered years and ending December 31 of even numbered years.

32 (12) "Electioneering communication" means any print, broadcast, cable, satellite, or
33 electronic media communication not coordinated, as set forth in § 17-25-23, with any candidate,
34 authorized candidate campaign committee, or political party committee and that unambiguously

1 identifies a candidate or referendum and is made either within sixty (60) days before a general or
2 special election or town meeting for the office sought by the candidate or referendum; or thirty (30)
3 days before a primary election, for the office sought by the candidate; and is targeted to the relevant
4 electorate.

5 (i) A communication that refers to a clearly identified candidate or referendum is “targeted
6 to the relevant electorate” if the communication can be received by two thousand (2,000) or more
7 persons in the district the candidate seeks to represent or the constituency voting on the referendum.

8 (ii) Exceptions: The term “electioneering communication” does not include:

9 (A) A communication appearing in a news story, commentary, or editorial distributed
10 through the facilities of any broadcasting station, unless such facilities are owned or controlled by
11 any political party, political committee, or candidate;

12 (B) A communication that constitutes a candidate debate or forum conducted pursuant to
13 regulations adopted by the board of elections or that solely promotes such a debate or forum and is
14 made by or on behalf of the person sponsoring the debate or forum;

15 (C) A communication made by any business entity to its members, owners, stockholders,
16 or employees;

17 (D) A communication over the internet, except for (I) Communications placed for a fee on
18 the website of another person, business entity, or political action committee; and (II) Websites
19 formed primarily for the purpose, or whose primary purpose is, to expressly advocate the election
20 or defeat of a clearly identified candidate or the passage or defeat of a referendum; or

21 (E) Any other communication exempted under such regulations as the board of elections
22 may promulgate (consistent with the requirements of this paragraph) to ensure the appropriate
23 implementation of this paragraph.

24 (13) “Exempt nonprofit” means any organization described in § 501(c)(4) of the Internal
25 Revenue Code that spends an aggregate annual amount of no more than ten percent (10%) of its
26 annual expenses or no more than fifteen thousand dollars (\$15,000), whichever is less, on
27 independent expenditures, electioneering communications, and covered transfers as defined herein
28 and certifies the same to the board of elections seven (7) days before and after a primary election
29 and seven (7) days before and after a general or special election.

30 (14) “Fair market value” means the usual and normal charge for goods and services as
31 determined by the marketplace from which they ordinarily would have been purchased at a usual
32 and normal charge in an arms length transaction.

33 (i) For purposes of this subsection, “usual and normal charge for goods” means the price
34 of those goods in the market from which they ordinarily would have been purchased at the time of

1 the contribution. "Usual and normal charge for services", other than those provided by an unpaid
2 volunteer, means the hourly or piecework charge for the services at a commercially reasonable rate
3 prevailing at the time the services are rendered.

4 (15) "Independent expenditure" means an expenditure that, when taken as a whole,
5 expressly advocates the election or defeat of a clearly identified candidate, or the passage or defeat
6 of a referendum, or amounts to the functional equivalent of such express advocacy, and is in no
7 way coordinated, as set forth in § 17-25-23, with any candidate's campaign, authorized candidate
8 committee, or political party committee. An expenditure amounts to the functional equivalent of
9 express advocacy if it can only be interpreted by a reasonable person as advocating the election,
10 passage, or defeat of a candidate or referendum, taking into account whether the communication
11 mentions a candidate or referendum and takes a position on a candidate's character, qualifications,
12 or fitness for office. An independent expenditure is not a contribution to that candidate or
13 committee.

14 (i) Exceptions: The term "independent expenditure" does not include:

15 (A) A communication appearing in a news story, commentary, or editorial distributed
16 through the facilities of any broadcasting station, unless such facilities are owned or controlled by
17 any political party, political committee, or candidate;

18 (B) A communication that constitutes a candidate debate or forum conducted pursuant to
19 regulations adopted by the board of elections or that solely promotes such a debate or forum and is
20 made by or on behalf of the person sponsoring the debate or forum;

21 (C) A communication made by any business entity to its members, owners, stockholders,
22 or employees;

23 (D) A communication over the internet, except for (I) Communications placed for a fee on
24 the website of another person, business entity, or political action committee; and (II) Websites
25 formed primarily for the purpose, or whose primary purpose is, to expressly advocate the election
26 or defeat of a clearly identified candidate or the passage or defeat of a referendum; or

27 (E) Any other communication exempted under such regulations as the board of elections
28 may promulgate (consistent with the requirements of this paragraph) to ensure the appropriate
29 implementation of this paragraph.

30 (16) "In-kind contributions" means the monetary value of other things of value or paid
31 personal services donated to, or benefiting, any person required to file reports with the board of
32 elections.

33 (17) "Other thing of value" means any item of tangible real or personal property of a fair-
34 market value in excess of one hundred dollars (\$100).

1 (18) "Paid personal services" means personal services of every kind and nature, the cost or
2 consideration for which is paid or provided by someone other than the committee or candidate for
3 whom the services are rendered, but shall not include personal services provided without
4 compensation by persons volunteering their time.

5 (19) "Person" means an individual, partnership, committee, association, corporation,
6 union, charity, and/or any other organization. The term "person" shall not include any exempt
7 nonprofit as defined herein or any organization described in § 501(c)(3) of the Internal Revenue
8 Code of 1986, or any subsequent corresponding internal revenue code of the United States, as
9 amended from time to time, for the purposes of chapter 25.3 of this title only.

10 (20) "Political action committee" means any group of two (2) or more persons that accepts
11 any contributions to be used for advocating the election or defeat of any candidate or candidates.
12 Only political action committees that have accepted contributions from fifteen (15) or more persons
13 in amounts of ten dollars (\$10.00) or more within an election cycle shall be permitted to make
14 contributions, and those committees must make contributions to at least five (5) candidates for state
15 or local office within an election cycle; and provided, further, political action committee shall
16 include groups registered as political action committees with the Federal Election Commission.

17 (21) "Public office" means any state, municipal, school, or district office or other position
18 that is filled by popular election, except political party offices. "Political party offices" means any
19 state, city, town, ward, or representative or senatorial district committee office of a political party
20 or delegate to a political party convention, or any similar office.

21 (22) For purposes of chapter 25.3 of this title, "referendum" means the same as the
22 definition set forth in § 17-5-1.

23 (23) "State" means state of Rhode Island.

24 (24) "Testimonial affair" means an affair of any kind or nature including, but not limited
25 to, cocktail parties, breakfasts, luncheons, dinners, dances, picnics, or similar affairs expressly and
26 directly intended to raise campaign funds in behalf of a candidate to be used for nomination or
27 election to a public office in this state, or expressly and directly intended to raise funds in behalf of
28 any state or municipal committee of a political party, or expressly and directly intended to raise
29 funds in behalf of any political action committee.

30 **17-25-10.1. Political contributions — Limitations. [Effective January 1, 2024.]**

31 (a)(1) No person, other than the candidate to his or her own campaign, nor any political
32 action committee shall make a contribution or contributions to any candidate, as defined by § 17-
33 25-3, or political action committee or political party committee that, in the aggregate, exceed two
34 thousand dollars (\$2,000) within a calendar year; nor shall any political action committee make

1 such contributions that in the aggregate, exceed ~~twenty-five thousand dollars (\$25,000)~~ fifty
2 thousand dollars (\$50,000) within a calendar year; nor shall any candidate or any political action
3 committee or any political party committee accept a contribution or contributions that, in the
4 aggregate, exceed two thousand dollars (\$2,000) within a calendar year from any one person or
5 political action committee.

6 (2) Notwithstanding the provisions of subsection (a)(1) of this section, a person or political
7 action committee or political party committee may contribute an amount that in the aggregate, does
8 not exceed ten thousand dollars (\$10,000) within a calendar year to a political party committee,
9 which funds can be utilized for organizational and party building activities, but shall not be used
10 for contributions to candidates state and local for public office.

11 (b) Contributions to a named candidate made to any political committee authorized by that
12 candidate to accept contributions on the candidate's behalf shall be considered to be contributions
13 made to the candidate. Contributions to a candidate by a political committee for another person
14 shall be considered to be contributions by that person.

15 (c) Expenditures made by any person in cooperation, consultation, or concert with, or at
16 the request or suggestion of, a candidate, the candidate's authorized political committees, or their
17 agents shall be considered to be a contribution to the candidate.

18 (d) The financing by any person of the dissemination, distribution, or republication, in
19 whole or in part, of any broadcast or any written, graphic, or other form of campaign materials
20 prepared by the candidate, the candidate's campaign committees, or their authorized agents shall
21 be considered to be a contribution to a candidate.

22 (e) Nothing in this section shall be construed to restrict political party committees
23 organized pursuant to this title from making contributions to the candidates of that political party;
24 provided, that these contributions, other than allowable "in-kind" contributions, shall not exceed,
25 in the aggregate, twenty-five thousand dollars (\$25,000) to any one candidate within a calendar
26 year; nor shall any candidate accept a contribution or contributions, other than allowable "in-kind"
27 contributions, that, in the aggregate, exceed twenty-five thousand dollars (\$25,000) within a
28 calendar year from all committees of his or her political party. There shall be no restriction on the
29 amount of "in-kind" contributions that a political party committee may make to a candidate of its
30 political party; provided, that for the purposes of this subsection only, the cost of any preparation
31 and airing of television and/or radio advertisements and the cost of any print advertisements shall
32 not be considered an allowable "in-kind" contribution and shall be subject to the aggregate
33 limitation of twenty-five thousand dollars (\$25,000).

34 (f)(1) A contribution from an individual's dependent children, as defined in § 36-14-2, shall

1 be deemed a contribution from the individual for the purpose of determining whether aggregate
2 contributions exceed either the two hundred dollar (\$200) threshold for reporting purposes or the
3 two thousand dollar (\$2,000) maximum for contributions to a single candidate or political action
4 committee within a calendar year.

5 (2) No dependent child shall contribute an amount that, when added to contributions
6 already made by that child's parent or legal guardian and by other dependent children of that parent
7 or legal guardian, exceed the two thousand dollar (\$2,000) maximum for contributions to a single
8 candidate or political action committee within a calendar year.

9 (g) Nothing in this section shall be construed to restrict the amount of money that a
10 candidate can borrow in his or her own name, and subsequently contribute or loan to his or her own
11 campaign.

12 (h)(1) It shall be unlawful for any corporation, whether profit or non-profit, domestic
13 corporation or foreign corporation, as defined in § 7-1.2-106, or other business entity to make any
14 campaign contribution or expenditure, as defined in § 17-25-3, to or for any candidate, political
15 action committee, or political party committee, or for any candidate, political action committee, or
16 political party committee to accept any campaign contribution or expenditure from a corporation
17 or other business entity. Any contribution made in the personal name of any employee of a
18 corporation or other business entity, for which the employee received or will receive reimbursement
19 from the corporation or other business entity, shall be considered as a contribution by the
20 corporation or other business entity, in violation of this section.

21 (2) Any voluntary payroll deduction and/or contribution made by employees of a
22 corporation or other business entity shall not be deemed a contribution of a corporation or other
23 business entity, notwithstanding that the contributions were sent to the recipient by the corporation
24 or other business entity.

25 (i) All contributions of funds shall be by check, money order, or credit card and may be
26 made over the internet, but in each case the source of the funds must be identified; provided, that
27 candidates, political action committees, and political party committees may accept contributions in
28 cash that do not exceed twenty-five dollars (\$25.00) in the aggregate from an individual within a
29 calendar year. The cash contribution must be delivered directly by the donor to the candidate, the
30 campaign treasurer, or deputy treasurer. The treasurer or deputy treasurer shall maintain a record
31 of the name and address of all persons making these cash contributions.

32 (j) Except as provided in subsection (h) of this section, no entity other than an individual,
33 a political action committee which is duly registered and qualified pursuant to the terms of this
34 chapter, political party committee authorized by this title, or an authorized committee of an elected

1 official or candidate established pursuant to this chapter shall make any contribution to or any
2 expenditure on behalf of or in opposition to any candidate, political action committee, or political
3 party.

4 (k) For purposes of the limitations imposed by this section, all contributions made by a
5 person, either directly or indirectly, on behalf of a particular candidate, including contributions that
6 are in any way earmarked or otherwise directed through an intermediary or conduit to such
7 candidate, shall be treated as contributions from such person to such candidate. The intermediary
8 or conduit shall report the original source and the intended recipient of such contribution to the
9 board of elections and to the intended recipient, in accordance with regulations and reporting
10 requirements promulgated by the board of elections.

11 SECTION 2. This act shall take effect upon passage.

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LC005442
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO ELECTIONS -- RHODE ISLAND CAMPAIGN CONTRIBUTIONS AND
EXPENDITURES REPORTING

1 This act would include political action committees that register with the Federal Election
2 Commission within the definition of political action committees for the Rhode Island elections and
3 would increase the aggregate amount a political action committee may contribute to a candidate,
4 political action committee or political party committee from twenty five thousand dollars (\$25,000)
5 to fifty thousand dollars (50,000).

6 This act would take effect upon passage.

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LC005442
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2024 -- H 7848

LC005313

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

Introduced By: Representatives Place, and Newberry

Date Introduced: March 01, 2024

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-9.1-4.1 of the General Laws in Chapter 17-9.1 entitled
2 "Registration of Voters" is hereby amended to read as follows:

3 **17-9.1-4.1. Registration drives at high schools.**

4 It ~~shall~~ may be the duty of local boards to annually conduct a voter registration drive at
5 each high school within the city or town in cooperation with the administration of the schools. Each
6 principal of every public or private high school and director of each vocational school in this state
7 may be a registration agent whose authority shall be limited to receiving and accepting registrations
8 as electors from those qualified applicants who are enrolled as students within the school or are
9 employed within the school. The principal or director may designate one or more persons in the
10 school to serve as registration agents with the same authority as the principal of the school, provided
11 each designation is filed with the local board for the city or town in which the school is located.
12 Each person who is a registration agent pursuant to this section shall be sworn to the faithful
13 performance of his or her duties and shall be subject to removal as a registration agent by the local
14 board for cause shown. All registration made under this section shall be made in accordance with
15 rules and regulations established by the local board of the city or town in which the school is
16 located.

1 SECTION 2. This act shall take effect upon passage.

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LC005313

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO ELECTIONS -- REGISTRATION OF VOTERS

1 This act would amend the current law so that it would no longer mandate, but rather simply
2 allow local boards to annually conduct a voter registration drive at each high school within the city
3 or town.

4 This act would take effect upon passage.

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LC005313
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2024 -- H 7850

LC004566

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO ELECTIONS -- MAIL BALLOTS

Introduced By: Representatives P. Morgan, Quattrocchi, Rea, and Nardone

Date Introduced: March 01, 2024

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 17-20-1, 17-20-1.1, 17-20-2, 17-20-2.1, 17-20-2.2, 17-20-3, 17-20-
2 8, 17-20-9, 17-20-10, 17-20-13, 17-20-13.1, 17-20-14, 17-20-14.1, 17-20-14.2, 17-20-21, 17-20-
3 23, 17-20-24.1 and 17-20-30 of the General Laws in Chapter 17-20 entitled "Mail Ballots" are
4 hereby amended to read as follows:

5 **17-20-1. Voting by mail ballot.**

6 The electors of this state who, for any of the reasons set forth in § 17-20-2, being otherwise
7 qualified to vote, are unable to vote in person, shall have the right to vote, in the manner and time
8 provided by this chapter, in all general and special elections and primaries, including presidential
9 primaries in this state for electors of president and vice-president of the United States, United States
10 senators in Congress, representatives in Congress, general officers of the state, senators and
11 representatives in the general assembly for the respective districts in which the elector is duly
12 qualified to vote, and for any other officers whose names appear on the state ballot and for any city,
13 town, ward, or district officers whose names appear on the respective city or town ballots in the
14 ward or district of the city or town in which the elector is duly qualified to vote, and also to approve
15 or reject any proposition of amendment to the Constitution or other propositions appearing on the
16 state, city, or town ballot.

17 **17-20-1.1. Declaration of policy.**

18 Those electors who ~~vote by mail~~ are unable to vote in person at the polls for the reasons
19 set forth in § 17-20-2, are entitled to vote in a manner which reasonably guarantees the secrecy of

1 their ballots. The procedures set forth in this chapter are designed to promote the effective exercise
2 of their rights while safeguarding those voters who utilize the mail ballot process from harassment,
3 intimidation, and invasion of privacy. The procedures are intended to prevent misuse of the
4 electoral system by persons who are not eligible to vote by mail ballot. The provisions of this
5 chapter shall be interpreted to effectuate the policies set forth in this section.

6 **17-20-2. Eligibility for mail ballots.**

7 Any otherwise qualified elector may vote by mail ballot in the following circumstances:

8 (1) An elector, within the State of Rhode Island who is incapacitated to the extent that it
9 would be an undue hardship to vote at the polls because of illness, or mental or physical disability,
10 blindness, or serious impairment of mobility;

11 (2) An elector who is confined in any hospital, convalescent home, nursing home, rest
12 home, or similar institution, public or private, within the State of Rhode Island;

13 (3) An elector who will be temporarily absent from the state because of employment or
14 service intimately connected with military operations or who is a spouse or legal dependent residing
15 with that person, or a United States citizen who will be outside of the United States;

16 (4) An elector who ~~chooses to vote by mail for any reason~~ may not be able to vote at the
17 voter's polling place in the voter's city or town on the day of the election.

18 **17-20-2.1. Requirements for validity of mail ballot and mail ballot applications.**

19 (a) Any legally qualified elector of this state whose name appears upon the official voting
20 list of the city, town, or district of the city or town where the elector is qualified, and who desires
21 to avail himself or herself of the right granted to him or her by the Constitution and declared in this
22 chapter, may obtain from the local board in the city or town ~~a~~ an affidavit form prepared by the
23 secretary of state as prescribed in this section, setting forth the elector's application for a mail ballot
24 ~~or may apply online in accordance with § 17-20-2.3.~~

25 (b) Whenever any person is unable to sign his or her name because of physical incapacity
26 or otherwise, that person shall make his or her mark "X".

27 (c) ~~To receive a ballot in the mail, an elector must submit an application~~ The application,
28 when duly executed, shall be delivered in person or by mail, so that it is received by the local board;
29 ~~or received electronically through the portal established by § 17-20-2.3,~~ not later than four o'clock
30 (4:00) p.m. on the twenty-first (21st) day before the day of any election referred to in § 17-20-1.

31 (d) In addition to those requirements set forth elsewhere in this chapter, a mail ballot, in
32 order to be valid, must have been cast in conformance with the following procedures:

33 (1) All mail ballots issued pursuant to § 17-20-2(1) shall be mailed to the elector at the
34 Rhode Island address provided by the elector on the application. The ballot shall not be eligible for

1 forwarding and if the addressee has moved, the postal service shall immediately return the ballot
2 to the board of elections. In order to be valid, the ~~voter must affix his or her~~ signature on all
3 certifying envelopes containing a voted ballot shall be made before a notary public or before two
4 (2) witnesses who shall set forth their addresses on the form.

5 (2) All applications for mail ballots pursuant to § 17-20-2(2) must state under oath the
6 name and location of the hospital, convalescent home, nursing home, or similar institution where
7 the elector is confined. All mail ballots issued pursuant to § 17-20-2(2) shall be delivered to the
8 elector at the hospital, convalescent home, nursing home, or similar institution where the elector is
9 confined; and the ballots shall be voted and witnessed in conformance with the provisions of § 17-
10 20-14.

11 (3) All mail ballots issued pursuant to § 17-20-2(3) shall be mailed to the address provided
12 by the elector on the application or sent to the board of canvassers in the city or town where the
13 elector maintains his or her voting residence. In order to be valid, the ~~voter must affix his or her~~
14 signature of the elector on the certifying envelope containing voted ballots does not need to be
15 notarized or witnessed. Any voter qualified to receive a mail ballot pursuant to § 17-20-2(3) shall
16 also be entitled to cast a ballot pursuant to the provisions of United States Public Law 99-410, the
17 Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

18 (4) All mail ballots issued pursuant to § 17-20-2(4) may be mailed to the elector at the
19 address within the State of Rhode Island, United States provided by the elector on the application
20 or sent to the board of canvassers in the city or town where the elector maintains his or her voting
21 residence. In order to be valid, the ~~voter must affix his or her~~ signature on all certifying envelopes
22 containing a voted ballot shall be made before a notary public, or other person authorized by law
23 to administer oaths where signed, or where the elector voted, or before two (2) witnesses who shall
24 set forth their addresses on the form. In order to be valid, all ballots sent to the elector at the board
25 of canvassers, must be voted in conformance with the provisions of § 17-20-14.2.

26 (e) Any person knowingly and willfully making a false application or certification, or
27 knowingly and willfully aiding and abetting in the making of a false application or certification,
28 shall be guilty of a felony and shall be subject to the penalties provided for in § 17-26-1.

29 (f) In no way shall a mail ballot application be disqualified if the voter's circumstances
30 change between the time of making the application and voting his or her mail ballot as long as the
31 voter remains qualified to receive a mail ballot under the provisions of § 17-20-2. The local board
32 of canvassers shall provide the state board of elections with written notification of any change in
33 circumstances to a mail ballot voter.

34 **17-20-2.2. Requirements for validity of emergency mail ballots.**

1 (a) Any legally qualified elector of this state whose name appears upon the official voting
2 list of the town or district of the city or town where the elector is so qualified is, who on account of
3 circumstances manifested twenty (20) days or less prior to any election becomes eligible to vote by
4 ~~emergency~~ mail ballot according to this chapter. ~~Within twenty (20) days or less prior to any~~
5 ~~election, the elector~~ may obtain from the local board an application for an emergency mail ballot
6 or may complete an emergency in-person mail ballot application on an electronic poll pad at the
7 board of canvassers where the elector maintains his or her residence.

8 (b) The emergency mail ballot application, when duly executed, shall be delivered in
9 person or by mail so that it shall be received by the local board, ~~or received electronically through~~
10 ~~the portal established by § 17-20-2.3;~~ not later than four o'clock (4:00) p.m. on the last day
11 preceding the date of the election.

12 (c) The elector shall execute the emergency mail ballot application in accordance with the
13 requirements of this chapter, which application shall contain a certificate setting forth the facts
14 relating to the circumstances necessitating the application.

15 (d) In addition to those requirements set forth elsewhere in this chapter, an emergency mail
16 ballot, except those emergency mail ballots being cast pursuant to subsection (g) of this section, in
17 order to be valid, must have been cast in conformance with the following procedures:

18 (1) All mail ballots issued pursuant to § 17-20-2(1) shall be mailed to the elector at the
19 state of Rhode Island address provided on the application by the office of the secretary of state, or
20 delivered by the local board to a person presenting written authorization from the elector to receive
21 the ballots, or cast in private at the local board of canvassers. In order to be valid, the ~~voter must~~
22 ~~affix his or her~~ signature of the voter on the certifying envelope containing a voted ballot shall be
23 made before a notary public, or other person authorized by law to administer oaths where signed,
24 or where the elector voted, or before two (2) witnesses who shall set forth their addresses on the
25 form. In order to be valid, all ballots sent to the elector at the board of canvassers must be voted in
26 conformance with the provisions of § 17-20-14.2.

27 (2) All applications for emergency mail ballots pursuant to § 17-20-2(2) must state under
28 oath the name and location of the hospital, convalescent home, nursing home, or similar institution
29 where the elector is confined. All mail ballots issued pursuant to this subdivision shall be delivered
30 to the elector by the bipartisan pair of supervisors, appointed in conformance with this chapter, and
31 shall be voted and witnessed in conformance with the provisions of § 17-20-14.

32 (3) All mail ballots issued pursuant to § 17-20-2(3) shall be mailed by the office of the
33 secretary of state to the elector at an address provided by the elector on the application, or cast at
34 the board of canvassers in the city or town where the elector maintains his or her voting residence.

1 The signature of the elector on the certifying envelope containing the voted ballots issued pursuant
2 to this subsection does not need to be notarized or witnessed. Any voter qualified to receive a mail
3 ballot pursuant to § 17-20-2(3) shall also be entitled to cast a ballot pursuant to the provisions of
4 United States Public Law 99-410, the Uniformed and Overseas Citizens Absentee Voting Act
5 (UOCAVA).

6 (4) All mail ballots issued pursuant to § 17-20-2(4) shall be cast at the board of canvassers
7 in the city or town where the elector maintains his or her voting residence or mailed by the office
8 of the secretary of state to the elector at the address within the State of Rhode Island, United States
9 provided by the elector on the application, or delivered to the voter by a person presenting written
10 authorization by the voter to pick up the ballot. In order to be valid, the ~~voter must affix his or her~~
11 signature of the voter on all certifying envelopes containing a voted ballot shall be made before a
12 notary public, or other person authorized by law to administer oaths where signed, or where the
13 elector voted, or before two (2) witnesses who shall set forth their addresses on the form. In order
14 to be valid, all ballots sent to the elector at the board of canvassers must be voted in conformance
15 with the provisions of § 17-20-14.2.

16 (e) The secretary of state shall provide each of the several boards of canvassers with a
17 sufficient number of mail ballots for their voting districts so that the local boards may provide the
18 appropriate ballot or ballots to the applicants. It shall be the duty of each board of canvassers to
19 process each emergency ballot application in accordance with this chapter, and it shall be the duty
20 of each board to return to the secretary of state any ballots not issued immediately after each
21 election.

22 (f) Any person knowingly and willfully making a false application or certification, or
23 knowingly and willfully aiding and abetting in the making of a false application or certification,
24 shall be guilty of a felony and shall be subject to the penalties provided for in § 17-26-1.

25 (g) An emergency mail ballot application may be completed in person using an electronic
26 poll pad provided by the board of canvassers upon presentation by the voter of valid proof of
27 identity pursuant to § 17-19-24.2. Upon completion of the poll pad application, the voter shall be
28 provided with a ballot issued by the secretary of state and upon completion of the ballot by the
29 voter, the voter shall place the ballot into the state-approved electronic voting device, provided by
30 the board of elections and secured in accordance with a policy adopted by the board of elections.

31 **17-20-3. Definitions.**

32 (a) Wherever used in this chapter, every word importing only the masculine gender is
33 construed to extend to, and include, females as well as males.

34 (b) Whenever used in this chapter, "bipartisan pairs of supervisors" for primaries means a

1 supervisor representing the endorsed candidates and a supervisor representing a majority of
2 unendorsed candidates, and for nonpartisan elections and primaries means non-partisan pairs of
3 supervisors.

4 (c) Wherever used in this chapter, "employed outside of the United States" includes any
5 person who is:

6 (1) Employed by any agency, department, or division of the United States government and
7 who, by reason of that employment, resides outside of the continental United States;

8 (2) Employed outside the territorial limits of the United States; or

9 (3) A spouse or dependent residing with persons so employed.

10 (d) Wherever used in this chapter, "services intimately connected with military operations"
11 includes members of religious groups or welfare agencies assisting members of the armed forces
12 who are officially attached to and serving with the armed forces and their spouses and dependents,
13 and the spouses and dependents of members of the armed forces and of the merchant marine;
14 provided, that the spouses and dependents are residing outside of the state with the members of the
15 armed forces, merchant marine, or members of the religious or welfare agencies.

16 (e) Whenever a signature is required by a voter in this chapter, "signature" also means the
17 voter's mark "X" if the person is unable to sign his or her name because of physical incapacity or
18 otherwise.

19 (f) Whenever used in this chapter, "bipartisan" means not of the same recognized political
20 party.

21 ~~(g) Whenever used in this chapter, "emergency" voting pursuant to § 17-20-2.2(g) shall be~~
22 ~~construed to mean "early" voting.~~

23 **17-20-8. Application for ballot.**

24 (a) Whenever any person is unable to sign his or her name because of physical incapacity
25 or otherwise, that person shall make his or her mark "X".

26 (b) Notwithstanding any other provision of this chapter as to time and manner thereof, it
27 shall be the duty of the applicant to cause the mail ballot application or the emergency mail ballot
28 application, as the case may be, to be processed by the local board so that the applicant may receive
29 the ballot, cast it, and cause delivery thereof to be made to the state board not later than eight
30 o'clock (8:00) p.m. on the date of election.

31 (c) The local board shall maintain a separate list of names and addresses of all applicants
32 and their subscribing witnesses and a copy of the list shall be made available for inspection to any
33 person upon request.

34 (d) Any person knowingly and willfully making a false application or certification or

1 knowingly and willfully aiding and abetting in the making of a false application or certification
2 shall be guilty of a felony.

3 ~~(e) Voters shall be able to apply for a mail ballot electronically through the voter~~
4 ~~registration portal established by § 17-20-2.3.~~

5 ~~17-20-9. Application by permanently disabled or incapacitated voters and nursing~~
6 ~~home residents. Application by permanently disabled or incapacitated voters.~~

7 (a) A voter who is indefinitely confined because of physical illness or infirmity or is
8 disabled for an indefinite period ~~or who is a long-term resident in a nursing home~~, may, by signing
9 an affidavit to that effect, request that ~~a mail~~ an absentee ballot application be sent to him or her
10 automatically for every election. The affidavit form and instructions shall be prescribed by the
11 secretary of state, and furnished upon request to any elector by each local board of canvassers. The
12 envelope containing the ~~mail~~ absentee ballot application shall be clearly marked as not forwardable.
13 If any elector is no longer indefinitely confined ~~or is no longer residing in a nursing home~~, he or
14 she shall notify the clerk of the local board of canvassers of this fact. The clerk shall remove the
15 name of any voter from the mailing list established under this section upon receipt of reliable
16 information that a voter no longer qualifies for the service. The voter shall be notified of the action
17 within five (5) days after the board takes the action.

18 (b) The affidavit form and instructions prescribed in this section shall be mailed to the
19 applicant along with a stamped return envelope addressed to the local boards of canvassers. ~~The~~
20 ~~secretary of state may process applications pursuant to this section through the online mail ballot~~
21 ~~application portal established by § 17-20-2.3.~~

22 ~~(c) For purposes of this section, "nursing home" refers to facilities defined and licensed by~~
23 ~~the department of health. "Long-term" excludes any residents temporarily residing in such a facility~~
24 ~~for rehabilitation.~~

25 ~~(d) The secretary of state shall maintain a list in the central voter registration system of all~~
26 ~~voters who automatically receive applications for mail ballots, pursuant to this section.~~

27 ~~(e) [Expires December 31, 2025.] Eligible disabled voters shall be entitled to electronically~~
28 ~~receive and return their mail ballot, using the same electronic transmission system as that used by~~
29 ~~voters covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). This~~
30 ~~electronic process shall satisfy the federal Rehabilitation Act, section 508 concerning accessibility~~
31 ~~standards.~~

32 ~~(f) [Expires December 31, 2025.] For purposes of this section, "eligible disabled voter"~~
33 ~~means a person with disabilities eligible to vote who is incapacitated to such an extent that it would~~
34 ~~be an undue hardship to vote at the polls because of illness, mental or physical disability, blindness,~~

1 ~~or a serious impairment of mobility.~~

2 **17-20-10. Certification of applications — Issuance of ballots — Marking of lists —**

3 **Mailing address.**

4 (a) Upon receipt of the application, the local board shall immediately examine it and
5 determine whether it complies with each of the requirements set forth by this chapter and compare
6 the signature on the ballot application with the signature contained on the original registration card
7 or on the central voter registration system, except as may be otherwise provided by law, to satisfy
8 itself that the applicant is a qualified voter. Upon determining that it does meet each requirement
9 of this chapter and that the signature appears to be the same, the local board shall mark the
10 application “accepted” and record in the space provided on the ballot application the senatorial,
11 representative, and voting district in which the applicant should vote.

12 (b) The local board shall also record the city or town code and district information in the
13 mailing label section of the mail ballot application. The local board shall also print or type the name
14 of the elector and the complete mailing address in that section. If the local board does not accept
15 the application, the local board shall return the application to the elector, together with a form
16 prescribed by the secretary of state, specifying the reason or reasons for the return of the application.

17 (c) Not later than 4:00 p.m. on the eighteenth (18th) day before the day of any election
18 referred to in this chapter or within seven (7) days of receipt by the local board, whichever occurs
19 first, the local board shall certify the applications to the secretary of state through the central voter
20 registration system as this procedure is prescribed by the secretary of state. Upon the certification
21 of a mail ballot application to the secretary of state, the local board shall enter on the voting list the
22 fact that a mail ballot application for the voter has been certified and shall cause the delivery of the
23 certified mail ballot applications together with the signed certified listing thereof in sealed packages
24 to the state board of elections.

25 (d)(1) Upon the ballots becoming available, the secretary of state shall immediately issue
26 and mail, by first-class mail, postage prepaid, a mail ballot to each eligible voter who has been
27 certified. With respect to voters who have applied for these mail ballots under the provisions of §
28 17-20-2(1), the secretary of state shall include with the mail ballots a stamped, return envelope
29 addressed to the board of elections.

30 (2) The secretary of state shall include on the mail ballot envelope a numerical or
31 alphabetical code designating the city or town where the voter resides. The secretary of state shall
32 immediately thereafter indicate on the voter’s record that the secretary of state has sent mail ballots;
33 provided that this mark shall serve solely to indicate that a mail ballot has been issued and shall not
34 be construed as voting in the election.

1 (e) Prior to each election, the secretary of state shall also furnish to the chairperson of the
2 state committee of each political party a list of the names and residence addresses of all persons to
3 whom mail ballots have been issued. The secretary of state shall also furnish to a candidate for
4 political office, upon request, a list of the names and residence addresses of all persons to whom
5 mail ballots have been issued within his or her district.

6 (f) If a ballot is returned to the secretary of state by the postal service as undeliverable, the
7 secretary of state shall consult with the appropriate local board to determine the accuracy of the
8 mailing address, and the secretary of state shall be required to re-mail the ballot to the voter using
9 the corrected address provided by the local board. If the local board is unable to provide a different
10 address than that to which the ballot was originally mailed, the ballot shall be reissued by the
11 secretary of state to the board of canvassers in the city or town where the voter resides utilizing the
12 numerical or alphabetical code established in subsection (d) of this section. The board shall then
13 attempt to notify the voter at his or her place of residence that the ballot has been returned as
14 undeliverable. The ballot must be voted and witnessed in accordance with the provisions of this
15 chapter.

16 (g) The acceptance of a mail ballot application by the board of canvassers and the issuance
17 of a mail ballot by the secretary of state shall not create any presumption as to the accuracy of the
18 information provided by the applicant or as to the applicant's compliance with the provisions of
19 this chapter. Any inaccuracy in the provided information or irregularity in the application may be
20 raised as a challenge to the ballot before the board of elections at the time of certification. If the
21 challenge raised at that time is meritorious, the ballot shall be voided.

22 (h) Within two (2) business days of receipt by the local board, the board shall certify
23 emergency mail ballot applications and shall cause the delivery of the emergency mail ballot
24 applications, and certification sheet in sealed packages to the state board of elections.

25 **17-20-13. Form of application.**

26 The application to be subscribed by the voters before receiving a mail ballot shall, in
27 addition to those directions that may be printed, stamped, or written on it by authority of the
28 secretary of state, be in substantially the following form:

29 STATE OF RHODE ISLAND

30 APPLICATION OF VOTER FOR BALLOT FOR ELECTION

31 ON _____

32 (COMPLETE HIGHLIGHTED SECTIONS)

33 NOTE — THIS APPLICATION MUST BE RECEIVED BY THE BOARD OF
34 CANVASSERS OF YOUR CITY OR TOWN NOT LATER THAN 4:00 P.M. ON

1 _____
2 BOX A (PRINT OR TYPE)
3 NAME _____
4 VOTING ADDRESS _____
5 CITY/TOWN _____ STATE RI
6 ZIP CODE _____
7 DATE OF BIRTH _____
8 PHONE # _____

9 BOX B (PRINT OR TYPE)
10 NAME OF INSTITUTION (IF APPLICABLE) _____
11 ADDRESS _____
12 ADDRESS _____
13 CITY/TOWN _____ STATE _____
14 ZIP CODE _____
15 FACSIMILE NUMBER (if
16 applicable) _____

17 I CERTIFY THAT I AM ELIGIBLE FOR A MAIL BALLOT ON THE FOLLOWING
18 BASIS: **(CHECK ONE ONLY)**

19 () 1. I am incapacitated to such an extent that it would be an undue hardship to vote at the
20 polls because of illness, mental or physical disability, blindness, or a serious impairment of
21 mobility. If the ballot is not being mailed to your voter registration address (BOX A above) please
22 provide the Rhode Island address where you are temporarily residing in BOX B above.

23 () 2. I am confined in a hospital, convalescent home, nursing home, rest home, or similar
24 institution within the State of Rhode Island. Provide the name and address of the facility where you
25 are residing in BOX B above.

26 () 3. I am employed or in service intimately connected with military operations or because
27 I am a spouse or dependent of such person, or I am a United States citizen and will be outside the
28 United States. Complete BOX B above or the ballot will be mailed to the local board of canvassers.

29 () 4. ~~I choose to vote by mail.~~ I may not be able to vote at the polling place in my city or
30 town on the day of the election. If the ballot is not being mailed to your voter registration address
31 (BOX A above) please provide the address within the United States where you are temporarily
32 residing in BOX B above. If you request that your ballot be sent to your local board of canvassers
33 please indicate so in BOX B above.

34 BOX D OATH OF VOTER

1 I declare that all of the information I have provided on this form is true and correct to the
2 best of my knowledge. I further state that I am not a qualified voter of any other city or town or
3 state and have not claimed and do not intend to claim the right to vote in any other city or town or
4 state. If unable to sign name because of physical incapacity or otherwise, applicant shall make his
5 or her mark "X".

6 SIGNATURE IN FULL _____

7 Please note: A Power of Attorney signature is not valid in Rhode Island.

8 **17-20-13.1. Form of emergency mail ballot application.**

9 The emergency mail ballot application to be subscribed by the voters before receiving a
10 mail ballot shall, in addition to any directions that may be printed, stamped, or written on the
11 application by authority of the secretary of state, be in substantially the following form:

12 STATE OF RHODE ISLAND

13 EMERGENCY APPLICATION OF VOTER FOR BALLOT FOR ELECTION

14 ON _____

15 (COMPLETE HIGHLIGHTED SECTIONS)

16 **NOTE — THIS APPLICATION MUST BE RECEIVED BY THE BOARD OF**
17 **CANVASSERS OF YOUR CITY OR TOWN NOT LATER THAN 4:00 P.M. ON**

18 _____

19 BOX A (PRINT OR TYPE)

20 NAME _____

21 VOTING ADDRESS _____

22 CITY/TOWN _____ STATE [RI](#)

23 ZIP CODE _____

24 DATE OF BIRTH _____

25 PHONE# _____

26 BOX B (PRINT OR TYPE)

27 NAME OF INSTITUTION (IF APPLICABLE) _____

28 ADDRESS _____

29 ADDRESS _____

30 CITY/TOWN _____ STATE _____

31 ZIP CODE _____

32 I CERTIFY THAT I AM ELIGIBLE FOR A MAIL BALLOT ON THE FOLLOWING
33 BASIS:

34 (CHECK ONE ONLY)

1 () 1. I am incapacitated to such an extent that it would be an undue hardship to vote at the
2 polls because of illness, mental or physical disability, blindness or a serious impairment of mobility.
3 If not voting ballot at local board, ballot will be mailed to the address in BOX A above or to the
4 Rhode Island address provided in BOX B above. If the ballot is to be delivered by the local board
5 of canvassers to a person presenting written authorization to pick up the ballot, complete BOX A
6 above and fill in the person's name below.

7 I hereby authorize
8 _____ to pick
9 up my ballot at my local board of canvassers.

10 () 2. I am confined in a hospital, convalescent home, nursing home, rest home, or similar
11 institution within the State of Rhode Island. Provide the name and address of the facility where you
12 are residing in BOX B above.

13 () 3. I am employed or in service intimately connected with military operations or because
14 I am a spouse or dependent of such person, or I am a United States citizen who will be outside the
15 United States. If not voting ballot at local board, provide address in BOX B above.

16 () 4. ~~I choose to vote by mail.~~ I may not be able to vote at the polling place in my city or
17 town on the day of the election. If the ballot is not being mailed to your voter registration address
18 (BOX A above) please provide the address within the United States where you are temporarily
19 residing in BOX B above. If you request that your ballot be sent to your local board of canvassers
20 please indicate so in BOX B above.

21 I hereby authorize
22 _____ to pick up
23 my ballot at my local board of canvassers. Under the pains and penalty of perjury, I certify that on
24 account of the following circumstances manifested twenty (20) days or less prior to the election
25 for which I make this application. I will be unable to vote at the polls.

26 BOX D OATH OF VOTER

27 I declare that all of the information I have provided on this form is true and correct to the
28 best of my knowledge. I further state that I am not a qualified voter of any other city or town or
29 state and have not claimed and do not intend to claim the right to vote in any other city or town or
30 state. If unable to sign name because of physical incapacity or otherwise, applicant shall make his
31 or her mark "X".

32 SIGNATURE IN FULL _____

33 Please note: A Power of Attorney signature is not valid in Rhode Island.

34 17-20-14. Voting from hospitals, convalescent homes, nursing homes, rest homes or

1 similar institutions, public or private, within the State of Rhode Island — Penalty for
2 interference.

3 (a) The state board of elections shall appoint as many bipartisan pairs of supervisors as are
4 necessary whose duty it shall be to attend each hospital, rest home, nursing home and convalescent
5 home, or similar types of personal care facility in the state within twenty (20) days prior to the
6 election. They shall supervise the casting of votes by persons using mail ballots at a place that
7 preserves their secrecy and shall take acknowledgments or serve as witnesses, and jointly provide
8 assistance, if requested, to assure proper marking, sealing, and mailing of ballots as voted. Every
9 mail ballot cast by a patient in a hospital or convalescent home within this state shall be witnessed
10 by the state supervisors. It shall be the duty of the person or persons in charge of hospitals, rest
11 homes, nursing homes and convalescent homes, or similar types of personal care facility to allow
12 the state supervisors to perform their duties as set forth in this section at all reasonable times. Every
13 person who willfully hinders the state supervisors in performing their duties as set forth in this
14 section shall be guilty of a misdemeanor.

15 (b) It shall be the responsibility of the state board of elections to provide all bipartisan pairs
16 of supervisors with an official identification card. All bipartisan pairs of supervisors will be
17 required to have in their possession their identification card when conducting official business.

18 (c) Any person who deliberately misrepresents themselves as an official of the board of
19 elections, or who deceives, coerces, or interferes with a voter casting a ballot, shall be subject to
20 prosecution under § 17-20-30.

21 **17-20-14.1. Mail ballots — Local supervision.**

22 Each local board shall be authorized to appoint one or more bipartisan pairs of supervisors
23 in the manner that other bipartisan pairs of supervisors are appointed for each election, whose duty
24 it shall be to attend each person who makes an application for a mail ballot under §§ 17-20-2.1 and
25 17-20-2.2, who does not fall under the provisions of § 17-20-14, and who requests that a bipartisan
26 pair of supervisors be sent by the board of canvassers to that person's place of residence for the
27 purpose of supervising or assisting the mail voter in casting his or her vote. The bipartisan pairs of
28 supervisors shall supervise the casting of votes by persons using the mail ballot at a place that
29 preserves their secrecy and shall take acknowledgments or serve as witnesses, and jointly provide
30 assistance, if requested, to assure proper marking, sealing, and mailing of ballots as voted. The
31 failure or neglect of any local board to appoint these bipartisan pairs, or the failure or neglect of
32 any pair to attend any place at which a mail voter's ballot may be used, or the marking, sealing, or
33 mailing of ballots in the absence of any pair, shall not invalidate any ballot.

34 **17-20-14.2. Voting from board of canvassers.**

The local board of canvassers shall appoint as many supervisors as are necessary whose duty it shall be to supervise the casting of votes by persons using mail ballots at a place that preserves their secrecy and to take acknowledgments or serve as witnesses, and jointly provide assistance, if requested, to assure proper marking, sealing, and mailing of ballots as voted. Every certifying envelope containing a mail ballot cast at a board of canvassers must have the signature of the elector notarized by an appointed person authorized by law to administer oaths or before two (2) appointed witnesses who shall set forth their signature on the form. The certifying envelope of any mail ballot voted at the local board of canvassers shall be stamped by the local board to indicate it was voted on in conformance with the law. Every person who willfully hinders the local supervisors in performing their duties as set forth in this section shall be guilty of a misdemeanor. The local board shall transmit a list to the state board of elections containing the names and signatures of people authorized to witness mail ballots.

17-20-21. Certifying envelopes.

14 The secretary of state shall cause to be prepared and printed and shall furnish with each
15 mail ballot an envelope for sealing up and certifying the ballot when returned. The envelope shall
16 be printed in substantially the following form:

17 “After marking ballot or ballots, fold and enclose in this envelope and seal it. Certify to
18 statement hereon. Enclose in envelope addressed to board of elections, which must receive the
19 envelope not later than the time prescribed by § 17-18-11 for the closing of polling places on the
20 day of election.”

21 Date of Election: _____ City/Town of: _____

22 Certificate of Voter

23 Print Name of Voter

24 I swear or affirm, under penalty of perjury, that I am:

- 25 • I am a United States citizen;
- 26 • I am a resident and qualified voter of the State of Rhode Island;
- 27 • I am eligible to cast a mail ballot under the provisions of § 17-20-2; and
- 28 • I have not and will not vote elsewhere in this election. [I am not qualified to vote elsewhere.](#)

29 I hereby attest under the pains and penalty of perjury, that the enclosed voted ballot was
30 cast by me, and that the signature or mark on this certifying envelope was made by me.

31 Voter must sign full name here: _____

32 (If unable to sign name because of physical incapacity or otherwise, voter shall make his
33 or her mark "(X)").

34 I hereby attest under penalty of perjury that the enclosed voted ballot was cast, and the

1 signature or mark on this certifying envelope was made by the voter whose name appears on the
2 label above.

3 Before me the _____ day of _____ 20____, at _____ (city or town),
4 county of _____, state of _____, personally appeared the above named voter, to
5 me known and known by me to be the person who affixed his or her signature to this ballot
6 envelope.

7 _____

8 Notary Public

9 Notary must also print his or her name

10 Witness:

11 _____

12 (Signature)(Print Name)(Address)

13 (Signature)(Print Name)(Address)

14 Note: Mail ballots shall either be sworn to before a notary public or before two (2)
15 witnesses who must sign their names and addresses.

16 **17-20-23. Marking and certification of ballot.**

17 (a) A voter may vote for the candidates of the voter's choice by making a mark in the space
18 provided opposite their respective names.

19 (b) In case a voter desires to vote upon a question submitted to the vote of the electors of
20 the state, the voter shall mark in the appropriate space associated with the answer that the voter
21 desires to give.

22 (c) Voters receiving a mail ballot pursuant to § 17-20-2(1), (2), and (4) shall mark the ballot
23 in the presence of two (2) witnesses or some officer authorized by the law of the place where
24 marked to administer oaths. Voters receiving a mail ballot pursuant to § 17-20-2(3) do not need to
25 have their ballot witnessed or notarized. Except as otherwise provided for by this chapter, the voter
26 shall not allow the official or witnesses to see how he or she marks the ballot and the official or
27 witnesses shall hold no communication with the voter, nor the voter with the official or witnesses,
28 as to how the voter is to vote. Thereafter, the ~~The~~ voter shall enclose and seal the ballot in the
29 envelope provided for it. The voter shall then execute before the official or witnesses the
30 certification on the envelope. The voter shall then enclose and seal the certified envelope with the
31 ballot in the envelope addressed to the state board and cause the envelope to be delivered to the
32 state board on or before election day.

33 (d) These ballots shall be counted only if received within the time limited by this chapter.

34 (e) There shall be a space provided on the general election ballot to allow the voter to write

1 in the names of persons not in nomination by any party as provided for in §§ 17-19-31 and 17-20-
2 24.

3 **17-20-24.1. Irregularities in obtaining and casting mail ballots.**

4 The requirements set forth by this chapter controlling mail ballot eligibility and the
5 procedure by which mail ballots are obtained and cast shall be strictly applied to assure the integrity
6 of the electoral system. No mail ballot which was not obtained and/or cast in material conformance
7 with the provisions of this title shall be certified by the board of elections. Notwithstanding the
8 provisions of § 34-12-3 to the contrary, any mail ballot application or mail ballot certification
9 notarized by a person who is not in fact a notary public or other officer authorized to administer
10 oaths and take acknowledgments shall be void. Nothing in this chapter shall be construed to require
11 the disqualification of a ballot merely because the elector did not sign the elector's full name as it
12 is listed on the voter registration list, but omitted or included a middle initial or name, abbreviated
13 a first and/or middle name, or made a similar omission or inclusion, as long as the board of elections
14 can reasonably determine the identity of the voter.

15 **17-20-30. Penalty for violations.**

16 (a) Any person who knowingly makes or causes to be made any material false statement in
17 connection with his or her application to vote as a mail voter, or who votes or attempts to vote
18 under the provisions of this chapter, by fraudulently signing the name of another upon any envelope
19 provided for in this chapter, or who, not being a qualified voter and having knowledge or being
20 chargeable with knowledge of the fact, attempts to vote under this chapter, or who votes the ballot
21 of another voter, or who deliberately prevents or causes to prevent the mail ballot to be received by
22 the voter or to be returned to the board of elections, or who falsely notarizes or witnesses the voter
23 signature on the ballot application or mail ballot, or who deceives, coerces, or interferes with the
24 voter casting his or her ballot, and any person who does or attempts to do, or aid in doing or
25 attempting to do, a fraudulent act in connection with any vote cast or to be cast under the provisions
26 of this chapter, shall be guilty of a felony.

27 (b) Any person who, having received a mail voter's ballot and having voted or not voted
28 the mail ballot, votes or fraudulently attempts to vote at any elective meeting within the state held
29 on the day for which the ballot was issued shall be guilty of a felony.

30 (c) Any officer or other person who intentionally opens a mail voter's certified envelope
31 or examines the contents before the envelope is opened by the board of elections, as provided in
32 this chapter, shall be guilty of a felony.

33 (d) The offenses in this section shall be punishable by imprisonment of not more than ten
34 (10) years and/or by a fine of not less than five hundred dollars (\$500) nor more than five thousand

1 dollars (\$5,000).

2 SECTION 2. Chapter 17-20 of the General Laws entitled "Mail Ballots" is hereby amended
3 by adding thereto the following section:

4 **17-20-36. Inquiry by board of elections.**

5 Upon the request of any candidate for public office and upon a showing of good cause for
6 it or upon its own motion, the board of elections shall inquire into any notary public or witness who
7 witnesses the voter signatures on more than ten (10) mail ballot envelopes in any one election and
8 any notary public or witness who the board has reason to believe has not complied with the
9 provisions of this chapter. The inquiry shall attempt to determine whether the notary public or
10 witness was actually present when the documents were signed by the voters and whether all other
11 applicable requirements set forth in this chapter were complied with. Any criminal violation of this
12 chapter uncovered by the board of elections shall be referred to the state police for further
13 investigation.

14 SECTION 3. Chapter 25-2 of the General Laws entitled "Days of Special Observance" is
15 hereby amended by adding thereto the following section:

16 **25-2-60. Election day.**

17 The first Tuesday of November, of an even numbered year, shall be set aside to be known
18 as "Election Day" and the governor shall issue a biennial proclamation inviting and urging the
19 people of the state to observe this day by voting. Additionally, this observance will call to the
20 attention of the people of our state the importance of elections and its impact on our democracy.

21 SECTION 4. Sections 17-20-2.3 and 17-20-22.1 of the General Laws in Chapter 17-20
22 entitled "Mail Ballots" are hereby repealed.

23 **~~17-20-2.3. Online application for mail ballot.~~**

24 ~~(a) In addition to any other available means of applying for a mail ballot, the secretary of~~
25 ~~state shall establish and maintain a system through which voters may apply for a mail ballot online.~~

26 ~~(b) Applications filed using such system shall be considered filed on the calendar date the~~
27 ~~application is initially transmitted by the voter through the online mail ballot application system.~~

28 ~~(c) A voter shall be able to apply for a mail ballot using the online ballot application system~~
29 ~~when the voter:~~

30 ~~(1) Completes an online mail ballot application form, established by the secretary of state,~~
31 ~~substantially similar to the paper-based mail ballot application form established by § 17-20-13;~~

32 ~~(2) Affirms, subject to penalty of perjury, by means of electronic or manual signature, that~~
33 ~~the information contained in the mail ballot application is true; and~~

34 ~~(3) Verifies the voter's identity by providing the voter's date of birth and a Rhode Island~~

1 ~~driver's license number or state identification number.~~

2 ~~(d) The portal for mail ballot applications shall be available in any language required by~~
3 ~~federal or state voting rights laws.~~

4 ~~(e) To ensure full, equal, and independent access to all voters with disabilities, the portal~~
5 ~~for mail ballot applications shall comply with all requirements under Title II of the Americans with~~
6 ~~Disabilities Act, 42 U.S.C. §§ 12131-12165, and Web Content Accessibility Guidelines (WCAG)~~
7 ~~2.0 compliance level AA.~~

8 ~~17-20-22.1. Mail ballot drop boxes.~~

9 ~~(a) "Drop box" means the locked and secure container established and maintained by the~~
10 ~~board of elections, in accordance with this section, that shall serve as a receptacle for the receipt of~~
11 ~~mail and emergency ballots cast by voters. Every drop box established by the board of elections~~
12 ~~shall be deemed to be the property of the board of elections and shall be accessible to the public,~~
13 ~~beginning twenty (20) days prior to the date of a state election and twenty-four (24) hours per day~~
14 ~~and seven (7) days per week throughout this period, if established outside a municipal building,~~
15 ~~and during the normal business hours of the facility if established inside a municipal building. All~~
16 ~~drop boxes must be accessible on election day, from the time polls open until the time they close,~~
17 ~~in accordance with §§ 17-18-10 and 17-18-11. Any ballot that is cast by a voter, as either a mail~~
18 ~~ballot or emergency ballot, and is deposited into a drop box on or before the close of polls on~~
19 ~~election day, shall be deemed to be received by and in the possession of the board of elections. At~~
20 ~~the close of polls on election day, upon the last ballot deposited by any person in line at that time,~~
21 ~~a designated agent of the board of elections shall ensure that no other ballots are deposited in the~~
22 ~~drop box.~~

23 ~~(b) Drop boxes must be labeled "State of Rhode Island Official Ballot Drop Box for Mail~~
24 ~~Ballots," and include language about postage and display the official seal of the board of elections.~~
25 ~~Drop boxes must be accessible by persons with disabilities. Drop boxes shall be monitored by a~~
26 ~~video surveillance system.~~

27 ~~(c) No town or city shall have fewer than one drop box. A drop box may be established~~
28 ~~inside a municipal building, only if the building remains open and accessible to the public~~
29 ~~throughout the prescribed time period prior to election day and until the close of the polls, in~~
30 ~~accordance with § 17-18-10. A drop box shall also be placed outside the office of the board of~~
31 ~~elections and the election division of the office of the secretary of state. Drop boxes must be placed~~
32 ~~in locations that are accessible to persons with disabilities.~~

33 ~~(d) Each local board of canvassers shall determine the location of every drop box located~~
34 ~~within the geographic area over which that local board has authority, in accordance with the~~

1 ~~regulations promulgated by the board of elections.~~

2 ~~(e) Each drop box shall not accept the deposit of mail ballots after the last person in line to~~
3 ~~deposit a ballot in that drop box at the time the polls close, on the day of the election, has deposited~~
4 ~~their ballot.~~

5 ~~(f) Each local board shall make the location of every drop box within the area over which~~
6 ~~it has authority publicly available on its website, to the extent feasible. The board of elections shall~~
7 ~~make the location of all drop boxes located within the state publicly available at its office and on~~
8 ~~its website.~~

9 ~~(g) The board of elections shall designate one or more staff members of each local board~~
10 ~~of canvassers as the official agents of the board of elections, for purposes of retrieving ballots~~
11 ~~deposited in drop boxes and establish a schedule and process by which drop boxes are regularly~~
12 ~~emptied and any ballots they contain are securely and promptly transported to the board of~~
13 ~~elections.~~

14 ~~(h) The board of elections shall promulgate regulations consistent with this section,~~
15 ~~including regulations for the location of drop boxes and the receipt, storage, security, regular~~
16 ~~collection, and transportation of the mail ballots returned.~~

17 ~~(i) The board of elections may promulgate regulations for the use of drop boxes for~~
18 ~~depositing mail ballot applications during the applicable timeframe for accepting mail ballot~~
19 ~~applications.~~

20 SECTION 5. This act shall take effect upon passage.

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LC004566
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ELECTIONS -- MAIL BALLOTS

- 1 This act would establish election day as a day of special observation in the State of Rhode
- 2 Island. The act would also restrict the use of mail ballots in elections.
- 3 This act would take effect upon passage.

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LC004566
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2024 -- H 8017

LC005415

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS PROPOSITION OF
AMENDMENT TO THE CONSTITUTION -- OF SUFFRAGE

Introduced By: Representatives Quattrocchi, Chippendale, Nardone, Place, Rea, and
Roberts

Date Introduced: March 05, 2024

Referred To: House State Government & Elections

1 RESOLVED, That a majority of all members elected to each house of the general
2 assembly voting therefor, the following amendment to the Constitution of the state be proposed to
3 the qualified electors of the state in accordance with the provisions of Article XIV of the
4 Constitution, for their approval, and that it take the place of Article II, Section 1, which is hereby
5 amended to read as follows:

6 ARTICLE II

7 OF SUFFRAGE

8 **Section 1. Persons entitled to vote.**

9 Every citizen of the United States of the age of eighteen years or over who has had
10 residence and home in this state for thirty days next preceding the time of voting, who has resided
11 thirty days in the town or city from which such citizen desires to vote, and whose name shall be
12 registered at least thirty days next preceding the time of voting as provided by law, shall have the
13 right to vote for all offices to be elected and on all questions submitted to the electors, except that
14 no person who has been lawfully adjudicated to be non compos mentis shall be permitted to vote,
15 and except also that no person who is not a citizen of the United States shall be permitted to vote
16 in this state. No person who is incarcerated in a correctional facility upon a felony conviction
17 shall be permitted to vote until such person is discharged from the facility. Upon discharge, such
18 person's right to vote shall be restored. The general assembly may provide by law for shorter
19 state and local residence requirements to vote for electors for president and vice president of the

1 United States.

2 RESOLVED, That this amendment shall take, in the Constitution of the State, the place
3 pf Article II, Section 1 of the Constitution; and be it further

4 RESOLVED, That said proposition of amendment shall be submitted to the electors for
5 their approval or rejection at the next statewide general election. The voting places in the several
6 cities and towns shall be kept open during the hours required by law for voting therein for general
7 officers of the state; and be it further

8 RESOLVED, That the secretary of state shall cause the said proposition of amendments
9 to be published as a part of this resolution in the newspapers of the state prior to the date of the
10 said meetings of the said electors; and the said proposition shall be inserted in the warrants or
11 notices to be issued previous to said meetings of the electors for the purpose of warning the town,
12 ward, or district meetings, and said proposition shall be read by the town, ward, or district
13 meetings to be held as aforesaid; and be it further

14 RESOLVED, That the town, ward, and district meetings to be held aforesaid shall be
15 warned, and the list of voters shall be canvassed and made up, and the said town, ward, and
16 district meetings shall be conducted in the same manner as now provided by law for the town,
17 ward, and district meetings for the election of general officers of the state.

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LC005415
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

JOINT RESOLUTION
TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS PROPOSITION OF
AMENDMENT TO THE CONSTITUTION -- OF SUFFRAGE

- 1 This Joint Resolution would propose to the voters of the state a constitutional amendment
- 2 which would provide that no person who is not a citizen of the United States would be allowed to
- 3 vote in this state.

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LC005415
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2024 -- H 8046

LC005473

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

A N A C T

RELATING TO ELECTIONS -- GENERAL PROVISIONS

Introduced By: Representatives Felix, Tanzi, McNamara, Kislak, Diaz, Giraldo, Stewart,
Cruz, Henries, and Batista

Date Introduced: March 08, 2024

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 17-1-3 of the General Laws in Chapter 17-1 entitled "General
2 Provisions" is hereby amended to read as follows:

3 17-1-3. Eligibility to vote. [Effective January 1, 2024.]

4 (a) Every citizen of the United States who is at least eighteen (18) years of age, whose
5 residence as defined in § 17-1-3.1 has been in this state for at least thirty (30) days, and in the town
6 or city and voting district in which that person desires to cast his or her vote at least thirty (30) days
7 next preceding the election, and who is registered in that city or town and voting district at least
8 thirty (30) days next preceding any election, shall be entitled to vote in the election; provided, a
9 person may vote in a primary election only if that person is eligible under the provisions of this
10 title. A person who has not registered to vote, or whose registration has been canceled pursuant to
11 § 17-10-1, may cast a vote for president and vice-president on election day at the person's city or
12 town hall or at an alternate location designated by the board of canvassers, and approved by the
13 board of elections, where such location is deemed necessary to better accommodate such voters.
14 The casting of that vote shall commence the process of voter registration and subject the person
15 voting to the requirements and penalties of this chapter.

16 (b) Notwithstanding the provisions of subsection (a) of this section, any person who has
17 not yet reached age eighteen (18), but will be age eighteen (18) at the time of a general election,
18 may vote in a primary election, in which candidates are nominated for a general or special election.

19 (c) The provisions of subsection (b) shall not extend to any other elections.

1 (d) Notwithstanding the provisions of this section, any city or town with an elected school
2 committee may provide, by ordinance, referendum, or other mechanism at the municipality's
3 discretion, that every citizen of the city or town who is at least sixteen (16) years of age, and whose
4 residence as defined in § 17-1-3.1 has been in this state for at least thirty (30) days, may register
5 to vote in school committee elections in the city or town in which they reside, and if registered at
6 least thirty (30) days next preceding any school committee election, is entitled to vote in said
7 election.

8 SECTION 2. This act shall take effect upon passage.

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LC005473
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ELECTIONS -- GENERAL PROVISIONS

1 This act would allow citizens of a city or town who are at least sixteen (16) years of age to
2 register to vote and to vote in school committee elections in municipalities where school
3 committees are elected entities.

4 This act would take effect upon passage.

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LC005473
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